CR

FYI

HS

LCDC

Lawyers Constitutional Defense Committee, Inc.
Ninth Floor, 156 Fifth Avenue, New York, N. Y. 10010
(212) YU 9-7530

Mississippi Field Office
603 North Farish Street
Jackson, Mississippi 39202
(601) 948-4191
ALVIN J. BRONSTEIN
Staff Counsel

President
LEO PFEFFER
Special Counsel
American Jewish Congress

Vice-Presidents
JOHN M. PRATT
Counsel, Commission on Religion and Race
National Council of the Churches of Christ
CARL RACHLIN
General Counsel
Congress of Racial Equality

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American Civil Liberties Union

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American Jewish Committee

ROBERT L. CARTER
General Counsel
National Association for the Advancement of Colored People
The Rev. ROBERT F. DRINAN, S.J.
Dean
Boston College Law School
JACK GREENBERG
Director-Counsel
NAACP Legal Defense and Educational Fund
CLARENCE B. JONES
Counsel to the Rev. Dr. Martin Luther King, Jr.
HOWARD MOORE, JR.
Counsel
Student Non-violent Coordinating Committee

Executive Secretary
HENRY SCHWARZSCHILD

June 2, 1965

Grants and Donations Received for
1965 Program Since December 2, 1964

Aaron E. Norman Fund (1)	$ 5,000.00
Ottinger Foundation	1,000.00
National Council of Churches (2)	1,000.00
American Jewish Committee	1,000.00
Twentieth Century Fund	10,000.00
Constitutional Rights Foundation (3)	2,500.00
United Automobile Workers	2,500.00
C. and H. Gettner Foundation	1,000.00
United Presbyterian Church	5,000.00
New York Foundation (4)	2,500.00
Lederer Foundation	500.00
United Church of Christ	1,000.00
Eliot Pratt Foundation	1,000.00
H. and S. Metzenbaum Foundation (5)	1,043.00
A. and M. Bonda Foundation (5)	1,043.00
Bernard Fischman	750.00
John E. Marqusee	750.00
Episcopal Church	2,000.00
Pasadena Foundation	500.00
Grants of $500.00 and over	$ 40,086.00
109 donations under $500.00	7,222.88
	$ 47,308.88
(1) 1/3 of grant, remainder conditional:	10,000.00
(2) Special grant for Miss. office	
(3) ½ of grant, remainder to come:	2,500.00
(4) ½ of grant, remainder to come 8/1:	2,500.00
(5) Exchange of checks, gift of car	
(6) Advance for expense of large fund-raising mailing, to be repaid if returns warrant	
TOTAL	$ 62,308.88

TO; Carl Rachlin

FROM: John D. Due, Jr.   Florida Counsel

Subject: Report period ending June 6, 1965

We are involved in preparing a quarterly rpeort: in the meantime we submit this as a preliminary report.

Regarding Public Facilities Gordon vs. City of Tallahassee, was filed May 21, 1965 to cause operation and desegregation of the Tallahassee swimming pools. I have received no answer or reply at the present time.

what nature of discrim

Regarding discrimination by Federal agencies: (1) A letter was sent to the Extension Services, Department of Agriculure, refering to Mrs. Paulene Palmer, an employee. We are exhausting her administrative remedies by sending a complaint to Washington, and she shall testify before the U. S. Civil Rights Commission.

Regarding discrimination by FHA, in loan applications we have exhausted Mr. Linsey Reed's "local" remedies such as appealing to the local committee which is all segregated, and have now appealed to Washington, D. C. and the matter is being investigated by Washington.

Regarding discrimination in Public Accommodations, the Justice Department has decided to inquire and to work on our complaints relating to discrimination at the Havana Truck Terminal; Carl, do you think that it would be wise that we immediately get in touch with John ~~Dohr~~ Doar so that we can file a suit against all the places of public accommodation in the area and then invite the Justice Department to intervene? The main problem relating to public accommodation in the area where CORE is working ~~has~~ is that ~~they have~~ owners have stated to the FBI that they have desegregated and are open on an integreated basis. This is apparently the new dodge. Despite these statements to the FBI and the press, when we send a test team, they then only comply with their old custom of segregation. The issue then is before the Federal jury or the local segregated Federal Judge, who, Carl, is not the liberal Jacksonville Judge Simpson but is Judge Carswell, a states-righter. Who shall he believe: the CORE OUTSIDER or the local upstanding businessman? We need local people who are ~~counseled~~ domiciled to test.

Regarding discrimination in public employment, we advised and assisted in the formation of the Chattahoochee Hospital Improvment Association which sent a letter to Washington and to Governor Burns relating to discrimination affecting employment practices and discrimination regarding patients. There was an immediate response in that the Governor's Assistant called ~~us and~~ me Spiver Gordon, ~~Myself and the~~ Vice-president of the Chattahoochee Hospital Association, and myself met with the Governor's staff and Cabinet and officials from the Hospital. They have indicated that they will proceed to desegregate the facilities there at the Hospital, and we have agreed to meet with the hosptial officials over general problems and to use individual complaint process regarding specific and particular questions of discrimination. They asked us to withdraw our complaint but we refuse until good-faith compliance is shown.

Also a local all white association of garage mechanics has received a grant of $42,000. from the Department of Labor to use to train applicants for employment. The U. S. Employment office is to act as recruiting office for applicants for this training program. I have written a letter to the Department of Labor's Regional office in Atlanta concerning civil rights compliance and have talked to the local people. ~~and have learned that the recruitment of these people shall be by the local U.S. Employment Service.~~ Our next step is to investigate whether or not Negroes are being given an opportunity to enjoy the benefits of this grant.

Regarding War on Poverty

Regarding Gadsden County, the Civic Interest Group, through my advice and assistance, has filed with the Secretary of State, Articles of Incorporation for a non-profit corporation. This was done in order to enable them to qualify for grants under the Economic Opportunity Act. In the Head Start porblem of Taylor County, as has been refered to in earlier reports, the problem now is getting a sponsor who has had prior concern with poverty which will, be a great problem with CORE who is assisting local groups to organize themselves. It is my opinion that CORE-SEDF, being a non-profit corporation is eligible to sponser a local community action agency. However, whereas I am representing CORE and involved here only as an attorney, it is my duty to find other groups who are eligible to do this also. Other agencies which are with us as far as civil rights groups are concerned who may be eligible to act as sponsoring groups is the National Sharecroppers Fund, American Friends Service Committee, and a local state-wide group, Community Service Foundation.

Yesterday I spoke with Mrs. Rosa Campbell who drew up a very beautiful historic Head Start propolas for Taylor County, that although Taylor County is slow in getting approved, this proposal has been appropriated by the other small counties in North Florida and her proposal is used as a basis for their own functioning proposals. She has therefore agreed to assist us to draw up a proposal for a multi-county community action agency to include Liberty County, Wakulla County, and possibably Calhoun County. The multi-county community action agency is a furtherance of the CORE program in working in Liberty County and to develop cooperatives and other type of selfhelp action. ~~If you have any questions please inquire.~~

Regarding School Desegregation

2 Our Washington Attorney have met with HEW and OEO in relation to emergency funds being used to build a segregated school in Live Oak. We shall send a protest and suggest to our sponsors that an immediate suit be filed in Washington as per Carl Rachlin's letter.

Also, our Negro teacher friends active in the freedom movement in Jefferson County are so intimidated to the extent that they have resigned from the psoitions which they held with the Jefferson County Voters League. We had agreed to represent them in case their contracts with the school ~~was~~ are terminated.

Also, Negro schools and Negro teachers are being phased out and has developed such a fear that CORE is losing Negro support. We have written letters - so as to show pattern of discrimination regarding Negro schools, faculty, teachers and staff - all to be part of our potential state-wide suit against HEW and the State of Florida.

Sister Organizations

The Legal Defense Fund NAACP has transfered and are transferring to us all of their active CORE cases which they handled for CORE and LCDC which several are immediately pressing - the cocket and cases copies have been sent to Carl - I have kept also copies - including 1964.

I offer as suggested legal action for the months of June, July, and August:

(1) Incorporation of multi-county community action (not including tax exemption costs) $ 12.00

(2) Follow thru on Gordon vs. City of Tallahassee

Depositions	$500
Subpoenas	500 2,
Appeal	1000
	2,000

$ 1,000.00

(3) Follow thru on NAACP Legal Defense Fund cases handled for CORE but transfered to this office (being withdrawn from by NAACP co-op attorneys as per instructions from NAACP LDF (these cases are subject to bond forfeitures which CORE - not - NAACP has put up the money for!!!)

What cases

(4) New suit against HEW and Office emergency operation including depositions and subpoenas in re: all Live Oak Suwannee $1,500.00

(5) New suit against Department of Agriculture in re: linzie Reed (including depositions)	$1,000.00
(6) New suit places public accommodations Northern District and Middle District of Florida	$2,000.00
(7) New suit public facilities Monticello, Gadsden County, Tallahassee	$2,000.00
(8) New suit State- wide HEW and State of Florida (including depositions)	$2,000.00
Total	$9,512.00

TO: John D. Due, Jr, Florida Counsel
FROM: Le Faucette
SUBJECT: Washington D. C. trip

I Linsey Reed I spoke by phone to Mr. Bob Nipp of the FHA office, and discribed the incidents which have taken place concerning Mr. Reeds attempt to obtain two loans from FHA. Mr. Nipp informed me that there was no information in his office concerning Mr. Reed. He stated that he would write to the county and the state FHA office and request information from their offices concerning the case. I requested that we be sent a copy of this correspondence, this not being possible, he agreed to send us a letter indicating that an inquiry had been made, as well as a letter concerning the results of this inquiry.

Mr. Nipp further stated that during a recent civil rights investigation into FHA, much of what I had described with regard to Mr. Reeds case was found to be applicable to other cases. And that the absence of Negroes on many state and county boards was also pointed out. In the usual manner, as a government employee, he said that "steps" were being taken to correct these problems.

II Suwannee County I spoke with Attorney Michael Padnos who has done some investigation into the allocation of Federal Funds to Suwannee County, by the Office of Emergency Planning. For some reason the inormation from our files had not reached his office, he was therefore unable to proceed further in this matter. It appears however that it is up to us to determine whether or not the "plan" as accepted by HEW is, in our judgement, sufficient to warrent the allocation, and if not to proceed in what ever manner we wish to p~~er~~rotest the allocation

III Housing I spoke to Mr. Harry Johnson of FHA, who is in charge or cooperatives. We discussed the possibilities of low cost cooperative housing for domestic and low income families in Tallahassee and for agricultural workers in rural areas-(Sec. 221-D3 and Sec. 213 National Housing Act) he said that the law is quite specific in not providing any funds for the purchase of land, only for the construction of dwellings-in an urban area such as Tallahassee, with the applicants earning power as low as it is, it would be impossible to finance low cost housing, without collaterial. Also the question arose where will the financing not covered by the Federal Funds come from.

He was not as pesimistic with respect to the rural housing loan, he said merely to form a non-profit corporation and apply for a building loan. Of course, here also the land would have to be gotten from another sourse.

Legislation has just passed the House which will provide 2 million dollars for Federal Grants of up to ½ of the cost of building. The bill is now going to the Senate.

IV Things not done: I was unable to obtain any information concerning: Small Businesses, HARYOU, Washington Program or Mobilization for Youth Program. This was largely due to shortage of time in Washington, and lack of information on the part of Washington employees.

SAMUEL S. PERELSON
CERTIFIED PUBLIC ACCOUNTANT
270 MADISON AVENUE
NEW YORK, NEW YORK 10016
532-5888

K.P.
Fla

June 7, 1965

Mr. Marvin Rich
CORE Scholarship, Education and
Defense Fund, Inc.
150 Nassau Street
New York, New York 10038

Dear Marvin:

The letter of May 5, 1965, which is a joint effort by John Due and Le Faucette, combined with the various data you forwarded to me, leads me to believe that unless things change, you will need a full-time bookkeeper to handle the Florida affairs. They have managed to translate their lack of formal record keeping knowledge into complicating and confusing an otherwise simple situation.

To administer this little office, two checking accounts are used (CORE SEDF, and John D. Due, Jr. Trust Account), Le Faucette pays bills personally, John Due pays bills personally and other bills are sent to New York. Naturally, they are sent without approvals or instructions.

The itemization submitted with the letter of May 5 should be ignored. Reimbursements should not be made by New York to individuals; only to the CORE SEDF Florida account. These reimbursements should be made on the basis of the schedule I submitted with my letter of April 30, 1965 and one which I will prepare shortly.

It is only by approving and reimbursing for specific expenses ~~will~~ that any financial control be maintained. For example, their letter stated $100.00 is due to Carl Rachlin. It is up to New York to reimburse Florida for the expenses which the Rachlin money was used for; New York should not reimburse Rachlin. It is the responsibility of ~~Rachlin or~~ Due, personally, to reimburse Rachlin. If it were done any other way, Nee York would wind up paying these items twice.

I am afraid I will not be able to resolve the expense reimbursements at this time. However, I am enclosing a batch of invoices which are apparently unpaid. I submit them with comments:

Southeastern Telephone Co.	$149.89	Some review and approval should be made of the long distance calls.

Invoices clipped to Worksheet made out by Florida.

1.	Telephone bill North Florida C.E.P.	$25.25	Incomprehensible.

	Item			Comment
✓	2. Scott		$25.00	Door and other signs. It seems that it might be appropriate for Due to pay some portion since the signs state "John D. Due, Jr. Attorney at Law."
✓	3. Check Mark	$65.75		I corrected to reflect the decrease in sales tax because of the return of the Rolodex.
✓	4. A. B. Dick	$28.79		O.K.
No!	5. Pure Oil	$121.92		This includes the purchase of ~~a tire, and the recapping of~~ four other tires. Is this CORE's responsibility?
?	6. Due ~~No?~~	$8.60		He should not be reimbursed for $65.25 as such. See earlier comments regarding similar items.
	7. Le Faucette	$4.38		This includes payment of meal. No explanation submitted regarding this item.
✓	8. Atlanta Constitution	$7.50		O.K.

Incidentally, has the mailing address of the bank account been changed? Why does Le Faucette sign checks?

I will try to complete the expense data as soon as possible.

Cordially,

Sam

SAMUEL S. PERELSON
Certified Public Accountant

rep

~~lcdc~~
Seaf

June 7, 1965

John Due, Esq.
Core Scholarship, Education and Defense Fund
540½ Brevard St.
Tallahassee, Florida

Dear John:

I am enclosing a copy of a letter to Michael Padnos, which speaks for itself. By the way I know how busy you are but it would be very helpful if you gave us a brief report on what you are doing. It is not necessary for it to go on in several pages. It is helpful in my dealing with SEDF to have these reports so that they can see that their money is being spent well and that they are getting many times more than its actual cost.

Bruce Rogow and I had a rather intersting experience last Tuesday in Tallulah, Louisiana. I hope to give you a full run down when I see you and spend some time with you in the not too distant future.

By this time I hope you have a lawyer and law student assisting you to take some of the burden off your shoulders. Please let me know if this is not a fact.

With best regards,

Sincerely,

CR/cs
Enc.

CARL RACHLIN
General Counsel

June 7, 1965

Michael Padnos, Esq.
RCA Building
Suite 702
1725 "K" Street, N.W.
Washington, D. C.

Dear Mike;

I was out of town all last week enjoying the sites of Mississippi and Louisiana. I am somewhat curious to know how the embattled trenches of Washington, D. C. are coming along particularly as they relate to the Suwannee High School.

With kindest regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: John Due

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

May 21, 1965

Mr. Carl Rachlin
General Counsel
CORE
38 Park Row
New York 38, New York

Dear Carl,

Enclosed is all the information which I was able to gather from around the office, and in the files at the State Board of Education Office.

Since there was a conspicuous absence of correspondence from HEW, etc. in the files, I asked the secretary at the State Board of Education whether or not they received copies of such correspondence, she replied, no.

As you will note by the correspondence toHEW, etc. there was a great deal decided over the telephone and during the Suwannee County delegations visit to Washington. (how convenient that there is no record of what HEW said)

Notes concerning cronology of correspondence:

Feb. 5 Comparison analysis of plan (by State Board)

Feb. 6 plan #1 was sent to State Board

Feb. 8 plan was received by State Board
(they analyzed the plan before they received it.)

Apr. 9 plan #2 was submitted

Apr. 22 ground was broken for new high school

May 9 plan #3 was submitted

I hope this will be of some help to you. Let me know if I can help further.

Yours truly,

Le

Le Faucette

cc: Micha~~le~~el Padnos

June 7, 1965

Mr. John Due
540 1/2 West Brevard
Tallahassee, Florida

Dear John:

Enclosed is a copy of the guidelines for CORE Scholarship, Education and Defense Fund attorneys. The guidelines are really quite broad. And I think it particularly important that we try to keep within them. if there is any question, please let me know.

Sincerely,

Marvin Rich

MR:hm
Enclosures

P.S. Also enclosed is your salary check in the amount of $212.34 for two weeks ending June 4.

Hope Maynard

Swane
H School

June 10, 1965

Michael Padnos, Esq.
RCA Building
1725 "K" Street, N.W.
Suite 702
Washington, D. C. 20006

Dear Mike:

I would like your thoughts on the Suwanee High School matter. If it is at all possible I would like to bring an action in the District of Columbia against one or both of the federal agencies you have dealt with to restrain their issuance of funds and/or other facilities and services to Suwanee High School. It would be a very interesting action and obviously would serve, in addition to a very useful function, a great educative purpose in that people will learn that school problems are not solved by the passage of a law. I hope to hear from you soon. If possible, I would like to see you next week when I expect to be in Washington or the week after, likewise.

With best regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: John Due

RESUME

June 11, 1965 **Florida State Hospital**

Meeting to consider allegations of discrimination as filed by Mr. John D. Due, Jr. Florida Counsel, C O R E Scholarship, Education and Defense Fund against Florida State Hospital at Chattahoochee, Florida.

PRESENT

Dr. J. B. O'Connor, Superintendent, Florida State Hospital, Chattahoochee, Florida
Mr. John Due, Jr., Florida Counsel of the C O R E Scholarship, Education and DEfense Fund, on behalf of the Chattahoochee Hospital Improvement Association
Mr. Carl Shows, Vice Chairman, Chattahoochee Hospital Improvement Association and State Hospital employee
Mr. Spiver Gordon, Florida Field Secretary for C O R E
Mr. David Williams, Personnel Director, Florida State Hospital, Chattahoochee, Florida
Mr. William Meyers
Mr. Samuel Harrison, Jr., Assistant Attorney General, substituting for Mr. Ralph Odum

PRESIDING

Mr. John D. Due, General Counsel, C O R E Scholarship, Education and Defense Fund, Florida

Mr. Due opened the meeting with introductions. He stated that the purpose of the conference was twofold: discuss specific allegationsof discrimination and the hiring practices at the State Hospital in Chattahoochee.

In response to Mr. Harrison's question, Mr. Due explained that the Chattahoochee Hospital Improvement Association is composed of employees at Chattahoochee, presently only Negroes, but open to all employees.

Mr. O'Connor stated that an employee with a complaint goes first to his supervisor and then, if necessary, to Mr. Williams, and then, if still not satisfied, to him. Mr. O'Connor continued: if an employee is discharged, he can appeal to the Hospital Review Board for a hearing.

In response to Mr. Due's question as to the racial composition of the Board, Mr. O'Connor stated that the Board is composed of those in a supervisory capacity at the hospital: the Personnel Director, the head of the Commissary Department, the head of the Fire Department, and two officers. He said these people do not hire employees and therefore it was felt that they would be the least biased.

After being asked again if there were any Negroes on the Board, Mr. O'Connor said there were non because no Negro was in a supervisory capacity at the hospital.

Mr. O'Connor added that the Hospital Review Board is a recent innovation at the hospital; before that, a supervisor could dismiss an employee and the employee had no recourse. With the Board, the administration is able to determine if the employee was unfairly treated due to his supervisor's bias.

Mr. Due asked how an employee initiates a rehearing. Mr. Williams said that an employee must see him. He (Williams) then contacts the other members of the Board to arrange a meeting time. At the Board meeting will be the employee, his witnesses, and his supervisor.

Mr. Due questioned whether this all-white administrative board could guarantee to be fair to all employees. And he suggested that perhaps the hospital could have a review board similar to those in private industry(i.e. a board composed of supervisors and employees) in which case there would be a Negro on the Board.

Mr. O'Connor replied that hospitals must put their trust in the judgement of supervisors who have proven themselves. He suggested that the hospital could eliminate the Hospital Review Board entirely, even though they consider it an improvement. As far as having a board like the one suggested by Mr. Due, he said he would consider it.

Mr. Due suggested that the group discuss hiring practices.

Mr. O'Connor stated that he hires all the professionals: doctors, nurses, social workers, electrologists, etc. The procedure is as follows: (1) send the applicant an application form; (2) upon receiving it back, send a letter requesting specific information relating to their training, experience, etc. and ask for medical references to whom the hospital writes; (3) upon receiving all the information requested, the supervisor and I determine if this is a person we want to interview personally; (4) a personal interview is held.

Mr Due asked how one found out about job vacancies at the hospital. Mr O'Connor said due to a state law they can not advertise out of state nor can they hire non-residents of Florida, unless there is no one in Florida qualified for the job. To find out if the hospital had vacancies one would have to write them. And the hospital would hire a qualified Negro nurse or doctor.

The meeting was adjourned at approximately 1:00 p.m.

Mr. O'Connor said he would have supervisors meetings to discuss the cafeteria situation; they will be told that everyone regardless of race will be able to eat where--ever they want to. Supervisors will also be told that "policy" and "custom" are no longer to be used as criteria in the hiring, promotion, duties, and transfer of employees. In other words, supervisors are not to discriminate against the employees because of race. In addition, as of July 2, 1965, pay scales will be equalized between the Negro and white employees.

The meeting was adjourned at approximately 1:00 p.m.

June 11, 1965

John Due, Esq.
Core Scholarship, Education and Defense Fund
540½ Brevard Street
Tallahassee, Florida

Dear John:

I am enclosing a letter to Michael Padnos about Suwanee High School. I have not yet received the set of papers, and as you know I have none since my copies were mailed to Mike. I received your report this morning. I suggest for your own benefit and to save you time that your reports come not less often than once a week or once every ten days but that they be briefer. Only when you wish to contemplate litigation or specifically want us to do something for you should there be any lengthier discussion. This will save you time.

With regard to the Havana Truck Terminal matter, and related subjects, omnibus law suits are often very difficult to maintain and could, unless there is no questinn about the factual situation, take a very long time to conclude.

From the specific problem you raise, however it seems that we need to go into an old fashioned CORE type testing since the owners of the facilities lied to the FBI and the Press. The only way we can show those lies to be what they are is to have people not merely go in and not be served and then leave, but go in and stay all night if necessary to throw the lie in the faces of the owners of these facilities. You were right to point out that we might have a difficult legal problem if they lied to the court, as well as to the FBI and the Press, and andI said the way to prove the lie is not

Cont'd.....

by testing teams, but go in and demand, wait for and not leave until you get service or be arrested. Testing teams are a little too much like the NAACP in this kind of situation and a factual problem would be raised before Judge Carswell or before a jury which, knowing the nature of those people, we would undoubtedly lose.

I regret what is happening in Jefferson County. Do you think these people might conceivably give affidavits to HEW which we could use in Washington?

Henry Schwartzchild will be sending you a lawyer very shortly. I assume the law students are already with you.

We are working on a memorandum in the Tallahassee swimming pool case. Send me a copy of the Motion to Dismiss just as soon as you receive it. I have looked over but not examined in detail your budget for proposed legal actions. We will have to discuss these a little more. Obviously at the momemt there is very little money for these actions as important as some of them may be.

With best regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/cs
Enc.

cc: Marvin Rich

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
JUN 14 1965
CORE SEDF

June 11, 1965

Memo

To: Carl Rachlin and Marvin Rich

From: John D. Due, Jr.

1. Phone bill $388.13, if not paid in 10 days, phone will be cut off. Please send that immediately.

2. Rent for June is past due. Please pay immediately $80.00. to whom

3. Check for May expenses and April expenses plus $400.00 advance for month of June.

2,

Note: This $400.00 will be used partially to pay for housing for the law students who will be arriving on the 20th of June. The Freedom House in Quincy is not available for their use and repeated appeals for housing in the community (Negro and white) have produced nothing.

Of the $665.69 reeeived during the month of May, we were forced to pay $209.00, or roughly one third (1/3) for past due bills. (see disbursement journal). Another $211.00, was used for legal costs. Had we been apprised of the fact that past due bills would not be paid as previously agreed, we may have been able to better budget the remaining one third (1/3).

JUN 1 2 1965

June 12, 1965

Mr. Michael Padnos
1725 K Street
Washington, D. C.

Dear Michael,

Just for my own curosity I went over the Suwannee County Plan and found the following defects which you have probably also found, so thought we could compare notes, okay?

1. How is implementation of Preparations for Desegregation to be verified or checked upon? (I certainly don't want to take their word for it).

2. Newspaper reprint of Plan DOES NOT indicate where to get pupil preference cards. (interesting omission)

3. Article was published in paper April 29, registration is to be 1st week in May. (insufficient time)

4. Preregistration Paragraph #3 is laying the ground work for de facto segregation. (you northerners know a little about that)

5. Preregistration #7, also in newspaper article reprint, does not indicate that no other criteria shall be used, (note that other criteria was mentioned in Plan #1, but omitted here--does that mean that other criteria will not be used, or that it won't be published?)

6. Using #7 criteria who shall determine "overcrowded comdition" and how?

7. Using #7 again why childrenmalready enrolled in school (there seems a tie-in between my #6 and 7, its easy to get white children to remain in the same school--no CLEAR opportunity is offered Negro children to integrate)

8. If proximity to school was not a factor while maintaining segregation why is it a factor now? (down here children often travel over 20 miles each way, its the rule not the exception, urban Washington officials would tend to ignore this in their consideration of the plan.

Numbers 2 and 3 to my lay thinking seem the best legal grounds for a suit, what do you think?

Yours truly,

Le

[illegible] Due to Rich, 1965 June 12]

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

June 12, 1965

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau Street Room 1312
New York 38, New York

Dear Marvin,

Please send the following:

1. Guide lines for CORE Scholarship, Education and Defense Fund attorneys (which was not enclosed in your letter of June 7th, as indicated)
2. Approval or disapproval for Florida Counsel Newsletter. (quarterly report)

Disapproved

3. Certificate showing the tax exempt status and certificate of incorporation for my non-profit mailing privileges.
4. Advances for the month of May and June.

Yours truly,

John

John

JDD/lf

cc: Carl Rachlin

[enclosed, Due to Rich, 1965, June 12]

June 12, 1965

Memorandum

To: Mr. Sargent Shriver
From: John D. Due, Jr.
Re: Protest regarding the Madison County Community Action Agency, Inc.

On May 25, 1965, we the following, John Due, Florida Counsel for CORE Scholarship, Education and Defense Fund, Mr. Spiver Gordon, CORE Florida Field Secretary, and Mr. David Dukes, President, Madison County Student Movement, attended a public meeting, an organizational meeting of the Community Action Agency. There, I observed the following: The organizational meeting was held in the County Court House and was a well integrated meeting, however with' a tendency for Negroes to be to themselves, and persons of the white race to be to themselves. Marshall Hamilton, President of the all white North Florida Junior College was presiding. It was clear that this was the first public meeting concerning the Economic Opportunity Law. Mr. Tom Smith from the Rural Area Development, with his charts, explained the Economic Opportunity Law. There were very good questions and answers. A member of the Governor's Staff, Mr. Sam Flowers, from the coordinating committee on Economic Opportunity Law, was available to answer questions. After their presentations, Mr. Hamilton then gave a short history of the Economic Opportunity movement there. He described how the Madison County Development Authority, (an all white group) took the initiative to look into the benefits of the Economic Opportunity Law. This group asked a number of people to work with them, then a committee was formed, which was asked to work to call upon people, such as educators, to help. Then they decided to create a non-profit corporation. Mr. Hamilton indicated "we" selected a board of seven persons trying to represent all groups and occupations and ethnic groups. The organizing board consists of Mr. Hamilton, Mr. Speeley (I believe), Mr. Merritt, Mr. Islo Junior Cole, Mr. Webb, Mr. Crofton, Mr. Digben and Mr. Mc Farland. Two of these persons are Negroes. None of these persons are poverty stricken or represent civil rights groups. These seven persons, under the Florida Law, were the organizers, or subscribers, and also the first Board of Directors. Mr. Hamilton indicated that after adoption of the Articles of Incorporation and by-laws, this same Board of Directors decided to expand the Board in order to bring in other kinds of agencies.

After the informational part of the meeting, Mr. Hamilton presided over the election of the Board of Directors. Before the election, a roll call was taken of all those groups which were invited to be members. The Board of Directors was already organized by the Madison County Development Authority, whose nominating committee nominated the same people for the Board of Directors, there were no nominations from the floor. The nominations, from the nominations committee, were accepted and passed by those present. The Negroes who are on the Board were appointed by the white members of the Board of Directors. The Negro members do not represent the Negro Community. The only meeting which was publicized was the meeting which was held on the 25th of May. Mr. Hamilton then indicated that this same Board of Directors, who are a self appointed group, then had appointed a Director, a person who is to be paid by any funds received. This Director was hired before this organizational meeting. Then Mr. Hamilton indicated the criteria for membership, and the persons who are to be members of this community action agency; they must be from or related to groups which can be members of this community action agency, they must be that group which has succeeded in carrying out one project. Later during the meeting, it was quite obvious that Mr. Gordon's and my mere presence there was upsetting both the white persons and the Negro persons present. In fact one of the members of the Madison County Development Association got up and stated that this meeting was only for the residents of this community and therefore was closed to those who are outside the community, not withstanding the fact that CORE within the last year has been engaged in voter education among the non-registered Negroes. Also the NAACP was not invited and did not have a representative at this meeting although it is quite clear that this particular group has also been engaged and active, and has succeeded in carrying out one project, the criteria for membership.

were any asked for?

Conclusion

It is my opinion that the MaDISON County Community Action Agency has started off on the worng foot in that it has failed to comply with Paragraph 5 of part B of the Community Action Guide. The purpose of involving the maximum feasible participation of residents and of the members of the groups that it will serve. The Negro participants who are on the Board of Directors as a rule are those Negroes who are srespected by the white community, however these same people do not represent the Negro community, as such, in that they are educators and subject to control by the white administrators of the community. The Negro poverty community had no voice in the selection of these Negro members of the Board of Directors. The whole purpose of the Economic Opportunity Law is to carry on a war against an attitude of poverty and apathy, and if the purpose is to involve the poor people to help themselves, the program is surely to fail merely on the grounds that the directors and administrators and policy makers are of the group who are not of poverty and who may have good intentions, to help the poor, but all the money in Washington will not correct the things which we are trying to fight.

The wrong done by the organizers of the Community Action agency, is that they held an informational meeting at the same time as the organizational meeting, which gave no time for the poverty stricken or for the Negroes in the community to learn and to organize themselves. Therefore they were not prepared for the May 25th meeting.

Podres [illegible]

JUN 15 1965

LAW OFFICES
LAWSON, REYNOLDS, NESBITT & CHAIKIN
701 RCA BUILDING
1725 K STREET, N. W
WASHINGTON 6, D. C.
FEDERAL 8-5870

BELFORD V. LAWSON, JR.
ARTHUR M. REYNOLDS
LEROY NESBITT
DONALD J. CHAIKIN

OF COUNSEL
SEYMOUR M. LAZAR
8730 SUNSET BOULEVARD
LOS ANGELES, CALIFORNIA
OL-4-4430

June 14, 1965

Mr. Carl Rachlin
General Counsel
CORE
38 Park Row
New York 38, New York

Dear Carl:

Sorry to have been so dilatory on the correspondance, and I hope this reaches you before you get down here- when I hope to see you--but here is the situation as I see it.

The grant of Federal money made to Suwanne County was made under Federal Disaster Relief programs, and was authorized, as a matter of official fact, in November or December, 1964, before the civil rights act came into effect. The correspondance (and my own snooping) semm to indicate strongly that Alan Lesser, Sen. Javits' former L. A. now in the Office of Education, made efforts to hold up the grant until the school had submitted a satisfactory plan for desegregation, but that he was overruled by Commissioner Keppel, who, it would appear, decided the OE had no authority to hold up the OEP funds. The funds were authorized in March, 1965; and whatever may be the justification for the authorization, it is a clear fact that the money has now been dispersed. A suit to restrain the issuence of these funds, such as you suggested in your letter, would, I fear, be like shutting the barn door after the horse has already escape.

Your second suggestion, that a suit be brought to prevent any further federal aid to Suwannee County schools, might, however, be worthwhile. I think it's success would depend on two factors: first, providing that the Suwanee plan will not achieve desegregation. In this connection I have asked Le Faucett to let me know in detail CORE's objections to the plan. Second, finding out the kinds of federal aid the high school is getting, or is scheduled to get, OR has applied for. I should presume this would not be too difficult to discover.

Since the second approach seems to me the most sensible, when I talked to Le the other day I asked her if Suwanee County's plan was the worst on in Florida, and suggested that if it is not, it might make better sense to attack one with less semblance of legality. I have not yet heard from her on that.

I am interested in hearing your reaction to these ideas. I look forward to getting together with you when you're next in Washington. See you then.

Cordially,

Mike

Michael D. Padnos

MDP/cj

cc: John Due

CORE Scholarship, Education and Defense Fund, Inc.
150 Nassau Street, Room 1312
New York, New York 10038

Telephone: 964-8210

June 15, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed, please find seven checks.

Five of the checks are in payment of bills you sent to us.

The other two checks are: your salary for period ending June 18
and a check for Leann Faucette, for the
period ending June 18.

Sincerely,

Hope Maynard

/hm
Enclosures (7)

RECEIVED
JUN 21 1965
CORE SEDF

June 17 1965

Memo
to JDD
from LF
Re. Checks received from SEDF for payment of Bills

The following checks were received from SEDF and mailed to the respective payee on ~~April~~ JUNE 16, 1965:

Scott	$25.00
Southeaster Tele. Co	$149.89
Atlanta Constitution	$&7.50
Check marh office supply	$65.75
A B Dick products	$28.79

1. The Scott bill was sumitted with April bills, at the end of April
2. The Southeaster tele Co. bill was submitted, I believe, with April bills, at the end of the month of April
3. The Atlanta Constitution bill was submätted as above
4. The check mark bills totaling $67.77, was submitted as above (note check was for $65. 75)
5. The A B Dick bill was submitted as above

Other bills submitted at the same time were:

	$
Bill Robinson (pure Oil)	$121.92
NFCEP(North Florida Citizenship Education Projdct	$25.00
JDD	$73.85
LF	$ 4.38

June 17, 1965

Mr. John Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

We have sent you a number of checks as payment for expenses incurred by you which have been approved by Mr. Perelson. I have enclosed a copy of his letter to me concerning your bookkeeping records.

In the future, send all bills directly to me. We will pay them from here. You will have a Petty Cash fund of your own of $50 to pay any minor expenses from there. As you draw from this account send us weekly the vouchers and we will repay them.

You never did speak with the auditor as we had agreed previously. This has meant an unconscionable confusion.

Your checking account should be allowed to remain idle for a week or two and them will be closed down. We will withdraw all funds and pay from New York. This is an extra burden here, but it seems to be the only way to keep any records straight.

Also enclosed is a check for $450. This will represent our payment for use of your automobile and all expenses related thereto for the months of April, May, and June. In the future, we will pay $150 a month for expenses. Therefore, we will not pay gas, oil, tire or repair bills. We will send you $150 monthly in the future.

Your budget calls for total expenses during the year of $14,400. Your salary is $6,500, Le Faucette's is $1,300, your car expenses are $1,800, rent seems to be $80 per month which is another $960 per year. This leaves very little for other expenses. I do hope that you will be able to keep within the budget. In any case, we will not be able to expand it since the money simply is not there.

CORE SEDF has no funds to pay for housing for law students. This is a responsibility of the organization sending them down. If they have asked you to find housing for them, it certainly would be appropriate for you to do so, but they must bear the expense.

- more -

You indicated that rent for June is past due and asked that we pay immediately, but no where do you indicate to whom the check is to be made out. All requests for payment should indicate to whom the check is to be made out, the amount of the check, and the service which is rendered. For things like phone bills and rent, this also means the period of the service covered.

In your last paragraph you indicate that one third of the $665.69 you received in June was for past due bills (see disbursement journal). There is no disbursement journal enclosed.

Your phone bill is too high. Far too high. I don't know who you have been talking to in Miami, Jacksonville, Hicksville, New York, and Los Angeles or why it is necessary to call New York three times in one day and then spend $8.40 in calling New York the next day. You don't have that kind of a budget.

I hope that we can get on an efficient and effective basis from here on out.

The last report from you also indicates that you have a number of cases pending. I am glad to hear it.

I was very glad to see that you are incorporating a multi-county community action group. I think this is a proper kind of activity for you, but I see no reason why we should pay the cost of incorporation. If the program is useful, then those who benefit should be willing and able to pay the cost. I am also wondering about the amount budgeted for subpoenas in Gordon vs City of Tallahassee. Five hundred dollars for subpoenas seems to me to be excessive. Also, on this case your addition does not add up. I get $2,000, not $1,000 for total expenses.

The other costs seems to me as if you've pulled them out of a hat. I have asked Carl to check with you on the suits and the amount. I am glad you are comtemplating taking action and do believe that we should file some, if not all of these suits.

You will note that the total amount you requested comes to $9,500. This is obviously in excess of the amount budgeted. It will be for you, in consultation with Carl Rachlin, to make the decision as to which suits to pursue and which to pass by.

My best.

Sincerely,

Marvin Rich

MR:hm
Enclosure

John Due

JUN 23 1965

June 18, 1965

Mr. John Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Several copies of the guidelines are enclosed in this letter. I am sorry that they were not enclosed in the June 7 letter.

I can't approve a newsletter by you at this time. The newsletter as you described it is one that would be more probably be done by Spiver Gordon or other field people. It has only partial relevance to the legal program of CORE SEDF. Further, there are certain ethical problems with regard to a newsletter published by an attorney and we do not feel that it would be wise to risk action by the State Bar Association on a peripheral matter.

I am enclosing a copy of the Internal Revenue Service notification which indicates that CORE SEDF is tax exempt. You should have this for your general use. However, I don't feel that you should apply for a nonprofit mailing permit since you will not be making bulk mailings.

I have already written you in some detail about the financial situation.

Thanks for sending me a copy of your letter of June 12 to Sargeant Shriver. It was detailed and significant. I have one question; the third line on page two indicates that there were no nominations from the floor. It does not indicate whether or not nominations were called for. This is a significant factor. I take it that your letter of June 12 was to alert Mr. Shriver and to provide him with background information and that there may well be a further letter from you asking him to take specific action.

My best.

Cordially,

Marvin Rich

MR:hm
Enclosures
cc: Mr. Carl Rachlin ✓

Holmes
N. Fla

June 24, 1965

Dr. John W. Davis
Director, Teacher Security and Welfare
Legal Defense Fund N A A C P
10 Columbus Circle
New York 19, New York

Dear Dr. Davis,

As I said before in our telephone conversation while I was in the office of Dr. Gilbert Porter, I am apprised of the fact that all Negro teachers in Bonifay, Holmes County, Florida have been dismissed because of the alleged school desegration process there. Since I am an attorney in the area, and have summer assistants, I want you to know that I am immediately available to assist you, the Legal Defense Fund, the N A A C P, N E A, and the teachers dismissed. I talked to Attorney Carl Rachlin, General Counsel - C O R E, and he indicated that I have full permission to do what you believe is necessary. Mr. Rachlin indicated also that he is available to assist in amy manner that he can. We all know that if what they do in Bonifay is permitted, it will be a precedent which will harshly interfere with all our efforts toward full equality.

I am here in this area to assist you and other groups without fee, only requesting that legal expenses be satisfied by you.

Yours for freedom,

John D. Due, Jr.

JDD/jmg

cc: Jack Greenberg
Leroy Clark
Carl Rachlin
Marvin Rich
Dr. Gilbert Porter

Rec'd 6/30

June 24, 1965

Mr. Roy Wilkins
Executive Director of NAACP
120 Forty-fifth Street
New York 18, New York

Dear Mr. Wilkins,

After being with the Voter Education Project the past year, I am now in north Florida, working with the CORE Scholarship, Education, and Defense Fund. Although I am primarily here to assist the CORE project in the state of Florida, I am also instructed to work as a CORE co-operating attorney with all civil rights groups and community action groups.

Tuesday evening of last week I was asked by Rev. Dan Speed to represent a young NAACP worker from Boston, Mass. I accepted readily because this is within our guidelines to assist all groups without fee. I shall do the same when SCLC sends their SCOPE volunteers to this area. As you probably know, I am the only attorney in the immediate area who is available to handle civil rights cases.

However, it is very necessary right now to determine to what extent I shall be handling these cases and what arrangements shall be made for the carrying out of these cases. For example, the NAACP volunteer from Boston, Robert Howell, has been charged with the offense of carrying a concealed weapon. This type of offense, traffic offenses, and other types of intimidating offenses are not unconstitutional on the face, or they may not show a violation of one's civil rights in the first instance. However, we can predict, based upon past experiences, that civil rights workers in the South will be arrested and charged with these similar offenses. Since I am available here, and since I am receiving assistants to handle these cases, we are willing to represent any and all NAACP workers. However, we want to know whether the NAACP is willing to pay any and all legal costs for the representation of these cases. Also, it is very necessary that some functional relationship be established between myself and the legal counsel or legal group with whom you ordinarily work. This is necessary because the CORE

Scholarship, Education, and Defense Fund have established a very limited legal budget for their legal program and they have determined that this legal program is to terminate in February of 1966.

I would appreciate very much a decision from you as to whether I am to represent any and all N A A C P workers who request my representation, regardless of the offense; and I would also appreciate very much instructions relating to my manner, procedure, etc. I shall be here ready to stand by you toward the fight for freedom and equality.

Yours for freedom,

John D. Due, Jr.

JDD/jmg

cc: Robert Carter
    Robert Saunders
    Jack Greenberg
    Rev. Dan Speed
    Carl Rachlin
    Marvin Rich

June 25, 1965

Tallahassee Typewriter and Supply Co.
307½ South Adam Street
Tallahassee, Florida

Dear Sir:

This letter is to inform you that all bills incurred by John Due in the name of CORE Scholarship, Education and Defense Fund are to be henceforth sent to the national office of CORE Scholarship, Education and Defense Fund in New York City. In this way bills will be efficiently and promptly handled. In order that we might keep abreast of these matters, would you kindly send us a copy of all bills.

The address in New York is:

Mr. Marvin Rich, Executive Director
CORE - SEDF
150 Nassau Street Room 1312
New York 38, New York

Thank you very much.

Yours truly,

John D. Due, Jr.

JDD/jmg

cc: Carl Rachlin
Marvin Rich

The above letter was also sent to:

Southeastern Tel. Co
Civil Rights Handbook
A.B.Dick Prod. Co.
University Homes, Inc.
City of Tallahassee - utilities
Atlanta Constitution-Newspaper
Check Mark Office Supplies

FILE LENZY REED

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
WASHINGTON, D.C. 20250

OFFICE OF THE ADMINISTRATOR

JUN 25 1965

Mr. John Due
Attorney at Law
540½ West Brevard Street
Tallahassee, Florida 32301

Dear Mr. Due:

This is in further reference to our letter to you dated June 3, 1965, regarding Mr. Lenzy Reed, Jr.

We have obtained additional information about Mr. Reed's credit needs and the actions taken on his application. Mr. Reed, Jr. applied to this agency for a farm ownership loan on January 23, 1965, to enable him to assume ownership of his father's farm and improve it.

Mr. Lenzy Reed, Sr. is a present borrower of the Farmers Home Administration. Therefore, our local Farmers Home Administration officials are well informed about the farm in question which consists of 120 acres and is located in the northern part of Calhoun County. It has approximately 58 acres of cleared land, 20 of which are hillside and badly eroded. The remaining 38 acres are available for row crop farming. The farm buildings are inadequate and there is no water system on the farm. The fences on three sides of the farm will not turn livestock. It was determined that this farm would not provide Mr. Reed, Jr. with the resources which would be essential to his success, taking into consideration the amount of Farmers Home Administration loan indebtedness he would incur to get the farm into operation, improve the farm buildings and refinance the existing $9,000 real estate mortgage. Accordingly, on February 3, 1965, the county committee met and did not certify him for a loan. The county supervisor counselled with Mr. Reed in an attempt to guide him towards pursuits for a livelihood other than through the ownership and operation of his father's farm but he was not dissuaded.

County committee -
all white -

On February 5, Mr. Reed, Jr. applied for a loan solely for the purpose of operating his father's farm. This loan was not certified by the county committee. On April 7, the applicant requested reconsideration and on April 14, the county committee again reviewed his circumstances and failed to certify him for a loan. The first mortgage holder had advised the county supervisor that he was instituting foreclosure of his delinquent real estate mortgage. Therefore, in addition to the reasons that the applicant previously could not be certified for a loan, he did not have security of tenure on his father's farm. A letter was sent to the applicant on April 15, indicating the action taken on the loan.

As you recall, on May 6, you and Mr. Reed, Jr. discussed his application for loan assistance with members of the Florida state office staff, and the state office requested the local Farmers Home Administration officials to again review Mr. Reed's application to see that he received full consideration within the authorities of this agency. As a result, the county supervisor and the county committee visited the farm which the applicant wished to obtain and operate and thoroughly reviewed the feasibility of making a farm ownership loan and operating loan. The applicant was present at that meeting and discussed his needs and plans with the county committeemen. After this visit and discussion, the county committeemen were still of the opinion that neither the acquisition nor the operation of this farm would afford the applicant with reasonable prospects of success and did not certify him for Farmers Home Administration loan assistance. A letter was sent to Mr. Reed, Jr. on May 13, again giving him the results of the committee's action.

3 persons
15 minute
drove around

Since the question has been raised as to whether the actions taken by the committeemen were in any way motivated by either a business or a personal relationship with the individual who holds the first mortgage on the father's real estate, a member of the state office staff was detailed to question each of the county committeemen on this subject. This interrogation was conducted on June 11, and it was determined that none of the county committeemen who acted upon Mr. Reed, Jr.'s applications are business associates or are personally acquainted with Mr. O. B. McDaniel who is the first real estate mortgage holder.

This information leads us to conclude that the decisions which have been made have been proper in all respects.

Sincerely yours,

ACTING ASSISTANT Administrator

I phone
M. flo

recd
6/30

June 26, 1965

His Excellency Hayden Burns
Governor of Florida
Tallahassee, Florida

Mr. William M. Seaborn
Special Assistant to Secretary
United States Department of Agriculture
Washington, D. C.

Mr. Tom Maxwell, Chairman
Board of County Commissioners
Gadsden County
Quincy, Florida

Dear Sirs,

On behalf of Mrs. Paulene Palmer, I hereby register the following complaint with regard to the employment practices of the Agricultural Extension Service, State of Florida.

(1) The Agricultural Extension Service, State of Florida, as an employer discriminates because of race against individuals with respect to compensation, terms of employment, conditions, benefits and salary.

(2) The Agricultural Extension Service, State of Florida, discriminates as an employer by having a policy and practice of limiting, segregating, and classifying employees, which tends to deprive any individual of employment opportunities or otherwise affect status as an employee.

(3) The Agricultural Extension Service, State of Florida, maintains two separate, unequal services, one being exclusively for the white race, and one being exclusively for the Negro race.

We therefore request that such policies and practice of racial discrimination and segregation immediately terminate, or any Federal Assistance immediately cease.

Yours truly,

John D. Due, Jr.

JDD/jmg

cc: Marion Yankhauer
Spiver Gordon
Marvin Rich
Paulene Palmer
Carl Rachlin

N. Flor

June 26, 1965

Rev. Martin Luther King, Jr., President
Southern Christian Leadership Conference
334 Auburn Avenue, N.E.
Atlanta, Georgia

Dear Reverend King,

After being with the Voter Education Project the past year, Iam now in north Florida working with the CORE Scholarship, Education, and Defense Fund. Although I am primarily here to assist the CORE project in the state of Florida, I am also instructed to work as a CORE co-operating attorney with all civil rights groups and community action groups.

As you probably know, I am the only attorney in the immediate area who is available to handle civil rights cases. However, it is very necessary right now to determine to what extent I shall be handling these cases and what arrangements shall be made for the carrying out of these cases. For example, a NAACP volunteer from Boston has been charged with the offense of carrying a concealed weapon. This type of offense, traffic offenses, and other types of intimidating offenses are not unconstitutional on the face or may not show a violation of one's civil rights in the first instance. However, we can predict, based upon past experiences, that civil rights workers in the south will be arrested and charged with these similar offenses. Since I am available here and since I am receiving assistants to handle these cases, we are willing to represent any and all SCLC workers. However, we want to know whether SCLC is willing to pay any and all legal cost for the representation of these cases. Also, it is very necessary that some functional relationship be established between myself and the legal counsel or legal group with whom you ordinarily work. This is necessary because the CORE Scholarship, Education, and Defense Fund has established a very limited legal budget for their legal program and they have determined that this legal program is to terminate in February of 1966.

I would appreciate very much a decision from you as to whether I am to represent any and all SCLC workers who request my representation, regardless of the offense; and I would also appreciate very much instructions relating to my manner, procedure, etc. I shall be here ready to stand by you toward the fight for freedom and equality.

Yours for freedom,

John D. Due, Jr.

JDD/jmg

cc: Andrew Young
Randolph Blackwell
Hosea Williams
Rev. C.K.Steele
Rev. James Crutcher
Carl Rachlin
Marvin Rich

S. TANNER STAFFORD
1000 TANNER DRIVE
TALLAHASSEE, FLORIDA

June 28, 1965

RECEIVED
JUL 1 1965
CORE SEDF

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau Street
New York 38, New York

Dear Mr. Rich:

I am in receipt of a communication from Mr. John D. Due informing me that all bills incurred in the name CORE Scholarship, Education and the Defense Funds are to be sent to your office so they might be handled promptly. In view of the fact that you have on file a lease for the office space occupied by the Tallahassee Branch of CORE located at 540½ West Brevard, may I ask that the rent be sent between the 1st and the 5th of each month to University Homes Inc., 1000 Tanner Drive, Tallahassee, Florida.

I am thanking you.

Yours very truly,

S. T. Stafford

S. Tanner Stafford

STS/sg

cc: Mr. John D. Due, Jr.

June 30, 1965

Mr. John Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks covering the following:

Your salary, for period ending July 2 - $212.34
LeAnn Faucette's salary ending July 2 - 40.98
Car use for July, 1965- - - - - - - - - - 150.00

Also enclosed are bills which you submitted to us for payment for various automobile expenses. As we agreed to pay $150 per month only for the use of the car (our letter to you of June 17), you will have to arrange to pay these bills yourself.

Mr. Rich has asked me to let you know that we will be paying the telephone bill on tomorrow.

Sincerely,

Hope Maynard

/hm
Enclosures

THE FOLLOWING PAGES ARE THE BEST AVAILABLE.

THE FOLLOWING PAGES ARE THE BEST AVAILABLE.

CIRCUIT, CALHOUN COUNTY, FLORIDA

OBIE McDANIEL,

Plaintiff

VS

LINZY REED and WILLIE MAE
REED, his wife, and JOHN MORRIS
THOMPSON, and his wife VONCILE
REED THOMPSON,

Defendants

- - - - - - - - - - - - - - - - - -

COMPLAINT

TO THE HONORABLE JUDGE, OR JUDGES, OR EITHER OF THEM OF THE ABOVE STYLED COURT:

Obie McDaniel a citizen and resident of Jackson County, Florida, over the age of twenty-one years, brings this his complaint against Linzy Reed and his wife Willie Mae Reed, citizens and residents of Calhoun County, Florida, who are each over the age of twenty-one years, and John Morris Thompson and his wife, Voncile Reed Thompson of Panama City, Bay County, Florida, who are each over the age of twenty-one years, and alleges:

I.

That heretofore to-wit: On December 28, 1959, W. T. McClellan loaned the defendants, Linzy Reed and his wife Willie Mae Reed, the sum of $6500.00 in cash, and in evidence thereof the said borrowers on the same date made, executed and delivered to W. T. McClellan a promissory note, in writing, in the sum of $6500.00 and thereby promised to pay to the said W. T. McClellan, his order or assigns the said sum, together with interest thereon at the rate of 10% per annum from date of said note until paid. The original note being attached to the originals hereto marked Exhibit "1" and by this reference made a part of this complaint.

II.

That on the same day to-wit: the 28th day of December, 1959, the said borrowers, in order to secure the payment of said note and the indebtedness, receipt thereby, made, executed and delivered to W. T. McClellan, their real estate mortgage deed, the original of said real estate mortgage deed, being attached to the original hereto, marked Exhibit "2" and by this reference made a part hereof, thereby conveying to W. T. McClellan, or his assigns by way of mortgage, the following described property lying and being in the County of Calhoun, and State of Florida, to-wit:

> N 1/2 of NW 1/4 and NW 1/4 of NE 1/4, Section 6; also
>
> NW 1/4 of SW 1/4 and NW 1/4 of SE 1/4, less a strip 88 yards off the North and South sides, Section 5; also
>
> Begin at Southeast corner of NE 1/4 of NW 1/4 and West 88 yards for point of beginning, thence run North 440 yards, thence West 88 yards, thence South 440 yards, thence East 88 yards to point of beginning, Section 5, All in Township 2 North, Range 7 West, and containing 176 acres, more or less; also
>
> Fourteen head of cattle and 1 Ferguson 30 tractor and being the tractor purchased from R. L. Hinson Tractor Company

It is provided in said mortgage that if the same becomes default, and is turned over to an attorney for collection, after maturity, that a reasonable attorney's fee is to be added to the principal.

III.

That said mortgage was duly filed for record in the office of the Clerk Circuit Court, Calhoun County, Florida, on the 28th day of December, 1959, and recorded in Mortgage Book 70, at page 497, public records of Calhoun County, Florida, all of which will fully appear from reference to said original mortgage attach hereto and marked Exhibit "Two".

IV.

That thereafter on February 27, 1963, the Mortgagee, W. T. McClellan, executed his partial release of the above mortgage and deleted therefrom all lands described therein in Section 5, Township 2 North, Range 7 West. Said Partial release being recorded in OR Book 2, at page 520, public records of Calhoun County. That on the same date to-wit: Linzy Reed joined by his wife Willie Mae Reed, conveyed the lands described in said original mortgage being in Section 5, Township 2 North, Range 7 West, to James A. Peacock Jr., and his wife Audrey Peacock, said deed being recorded in OR Book 2, at page 521, on February 27, 1963, thereby leaving as security in said mortgage the lands described in Section 6, Township

2 North, Range 7 West, and containing 120 acres more or less.

V.

Your plaintiff finds and alleges that there are two Chattle Mortgages prior to the mortgage herein sought to be foreclosed covering fourteen head of cattle and one Fergerson 30 Tractor and the tractor was purchased from [illegible] L. Hinson Tractor Company, said Chattle mortgages are in favor of the United States of America, one dated February 14, 1958, covering thirteen head of cows and the tractor, recorded in Mortgage book 66, at page 265, and one dated March 6, 1959, covering Fourteen head of cows and the tractor recorded in mortgage book 69, at page 13, public records of Calhoun County, Florida. Said Chattle mortgage being prior in dignity insofar as said cattle is concerned to the mortgage herein sought to be foreclosed.

VI.

That thereafter on December 31, 1960, Lin y Reed and Willie Mae Reed, his wife, made, executed and delivered to Harvey McCroan, their certain note in the principal sum of $1400.00 with interest thereon from date until paid at the rate of Ten per cent per annum. Said original note being hereto attached marked Exhibit "Three" and by reference made a part hereof.

VII.

That on the same date to-wit: December 31, 1960, the said Lin y Reed and Willie Mae Reed, his wife, made and executed and delivered to Harvey McCroan, their real estate mortgage being in the sum of $1400.00 becoming due and payable December 31, 1961, with interest at Ten per cent per annum from date until paid, and stipulating that if collected by an attorney after maturity, a reasonable attorney's fees are to be added, said mortgage being secured by a Second lien on the property described in Section 6, in Paragraph Two, as follows: N 1/2 of NW 1/4, and NW 1/4 of NE 1/4, Section 6, Township 2 NorthRange 7 West, and containing 120 acres more or less, which are the lands sought to be foreclosed in this proceedings, said original mortgage being filed for record on December 31, 1960, and recorded in mortgage book 72, at page 423, public records of

Calhoun County, Florida. The original being hereto attached to the original complaint, marked Exhibit "Four", and by reference made a part hereof.

VIII.

Plaintiff further alleges that on January 28, 1964, W. T. McClellan, the owner and holder of that certain mortgage described in paragraph Two hereof assigned the same, without recourse, to your plaintiff with all the rights and privileges therein contained for the sum of $5930.20, said assignment being recorded on January 29, 1964, in OR Book 6, at page 333, public records of Calhoun County, Florida. The original assignment being attached to the original complaint hereof, marked Exhibit "Five", and made a part hereof.

IX.

Your plaintiff will further show that on January 28, 1964, Harvey McCroan, the owner and holder of that certain mortgage described in paragraph Seven hereof, and attached to the original complaint, assigned the same to your plaintiff, without recourse, for the sum of $1820.00 cash. Said assignment being recorded January 29, 1964, in OR book 6, at page 334, public records of Calhoun County, Florida. The original Assignment being attached to the original complaint hereto marked Exhibit "Six" and made a part hereof.

X.

Your plaintiff will further show that the original mortgagors, Linzy Reed and his wife Willie Mae Reed, by their Warranty Deed, dated March 27, 1964, conveyed the property herein sought to be foreclosed to John Morris Thompson and his wife, Voncile Reed Thompson, which said deed was filed for recorde in the office of the Clerk Circuit Court, Calhoun County, Florida, on March 28, 1964, and recorded in Official Record Book 7, at page 67, public records of Calhoun County, Florida. However, said deed contains the following provision: "This deed being subject to those mortgages assigned from Harvey McCroan and W. T. McClellan, to Obie McDaniel, said Assignments being recorded in OR book 6, at pages 333 and 334, public records of Calhoun County, Florida," and the Grantees in this deed are made parties defendant hereto, said lands being subject to the lien of the mortgages herein sought to be foreclosed.

XI.

Your plaintiff will further show that in order to protect his lien and filed this foreclosure proceedings, it became necessary for him to secure an abstract summary of the lands herein sought to be foreclosed at a cost of $25.00 on June 4, 1965, which said amount should be added to the principal hereof.

XII.

Your plaintiff will further show that in order to protect the lien of his mortgages it became necessary for him to pay the taxes and penalty on the lands herein sought to be foreclosed on June 7, 1965, in the sum of $70.61, which said amount is secured by said mortgage and made a part of the principal thereof.

XIII.

Your plaintiff therefore alleges that he is the owner and holder of the mortgages herein sought to be foreclosed as Assignee and they constitute a first lien on the property herein subject to the same, and that there is due and payable to him under said mortgages as follows:Mortgage described in Paragraph Two hereof, $5930.00; Mortgage described in Paragraph Seven hereof, $1820.00; Abstract described in Paragraph Eleven hereof, $25.00; Taxes described in Paragraph Twelve hereof, $70.61, making a total of $7,845.81; together with interest thereon since the date of Assignment in the sum of $1172.50, making a grand total of $9,008.31, due and payable thereunder by the defendants, Lin y Reed and his wife illie Mae Reed, and the deed herein referred to in Paragraph Twelve hereof is junior and subject in priority to the lien of the mortgage held by the plaintiff and the grantees hereunder are made parties to this suit for the purpose of divesting them of any title they may claim. In addition to the amount herein set out, there is due and payable under said mortgages a reasonable attorney's fee, together with the cost of this proceedings. Therefore plaintiff is entitled to be paid and recover the amounts from the defendant in this proceedings. Wherefore plaintiff respectfully prays:

(a)

That the amounts due on the notes and mortgages owned by plaintiff be ascertained and determined under the direction of this Court, and that upon such ascertainment be made, said defendants Linzy Reed and his wife, Willie Mae Reed, and John Morris Thompson, and his wife Voncile Reed Thompson, be ordered to pay the plaintiff the amount so found to be due, together with costs of this proceedings and a reasonable attorney's fee to be fixed by the Court.

(b)

That in default of payment being made said mortgaged premises be sold at public auction as the Court may direct, to satisfy such indebtedness, cost and attorney's fee.

(c)

That in the event of such sale, plaintiff, or any other party to this cause may be authorized and permitted to become purchasers thereat, and that defendants, and all other persons, firms and/or corporations, claiming by, through or under them, or any of them since the commencement of this suit may be thereby barred and foreclosed of all right or equity of redemption in or to said mortgaged premises or any part thereof.

(d)

That in and by such decree of sale, the successful bidder thereat, except plaintiff, be required forthwith to deposit with the Master in Chancery, making said sale cash or a certified check acceptable to such Master in a to be determined in the final decree of this Honorable Court; that said Mast be authorized and directed to sell said property either for cash as directed by a decree of this Honorable Court; and that in case plaintiff becomes the purchaser he be required to deposit only a sufficient sum to meet the costs this suit, including Master's fee and disbursements.

(e)

That in case of said sale the proceeds thereof be applied, first, to the costs and expenses of such sale, including Master's fees and commissions and the fees of plaintiff's attorney; second, to the payment of any past due State, County and/or Municipal taxes or assessments against said mortgaged premises, and, third, to the payment and discharge of the indebtedness found to be due on said note and secured by said mortgage held by plaintiff and that the surplus, if any, be disbursed according to law.

(f)

That in the event the amounts fixed by said Court are not paid within the time required thereby, and that upon the sale of said property it should not bring a sufficient amount to pay all sums decreed to be paid, then the Court may grant a deficiency decree against the defendants, Linzy Reed and his wife Willie Mae Reed, for such a balance as may remain unpaid.

Marion B. Knight
MARION B. KNIGHT
P. O. Box 315
Blountstown, Florida
Attorney for Plaintiff

It is distinctly understood and agreed between the parties hereto that the failure to pay interest on any part of any one of said notes in full at maturity thereof shall cause all others of said notes to become immediately due and payable, and this mortgage foreclosable at the option of the holder of said notes and this mortgage.

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their hand and seal s , the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Linzy Reed (Seal)

Willie Mae Reed (Seal)

STATE OF FLORIDA County of CALHOUN

I HEREBY CERTIFY, That on this 28th day of December A.D. 19 59

before me personally appeared Linzy Reed and Willie Mae Reed, his wife

to me known to be the person s described in and who executed the foregoing conveyance to

W. T. McClellan

and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal, the day and year last aforesaid.

Clerk Circuit Court,
Calhoun County, Florida.

Real Estate Mortgage Deed

Linzy Reed, et ux.

To

W. T. McClellan

Date Dec. 28, 1959

Abstract of Description

#138076

2:20 PM

Filed for record on the 28 day of Dec 1959, and recorded in Mortgage Book 78 Page 497 public records of Calhoun County, Florida.

Clerk Circuit Court.

It is distinctly understood and agreed between the parties hereto that the failure to pay any one or any part of any one of said notes in full at maturity thereof shall cause all others of said notes to become instantly due and payable, and this mortgage foreclosable at the option of the holder of said notes and this mortgage.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

J A Peacock (Seal)
James A Peacock Jr
Willie Mae x Reed (Seal)
mark
(Seal)
(Seal)

STATE OF Florida, County of Calhoun

I HEREBY CERTIFY, That on this 31st day of December A. D. [illegible]
before me personally appeared Lenzy Reed and Willie Mae Reed, his wife

to me known to be the persons described in and who executed the foregoing conveyance to
Harvey McCroan
and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal, the day and year last aforesaid.

J A Peacock

J. A. PEACOCK
CLERK CIRCUIT COURT
CALHOUN COUNTY
BLOUNTSTOWN, FLA.

Real Estate Mortgage Deed

140
175
#15027

Lenzy Reed, et ux
To
Harvey McCroan
[illegible]

Date

Abstract of Description

Filed for record on the 31 day of Dec 1960, and recorded in Mortgage Book 12, Page 423 public records of Calhoun County, Florida.

J A P
Clerk Circuit Court.

FILED
1960 DEC 31 AM 2:16
CLERK CIRCUIT COURT
FLORIDA

This Indenture, Made this 31st day of December A. D. 19 60

between Lenzy Reed and Willie Mae Reed, his wife

of the County of Calhoun State of Florida part ies of the first part, and Harvey McCroan

of the County of Jackson State of Florida part y of the second part:

WHEREAS, The said Lenzy Reed and Willie Mae Reed, his wife part ies of the first part, are justly indebted to the said part y of the second part, in the sum of --One Thousand Four Hundred and 00/100-- Dollars, as evidenced by one certain promissory note dated the 31st day of December 19 60, for the sum of --One Thousand Four Hundred and 00/100-- Dollars, becoming due and payable December 31, 1961, 19 with interest of 10 per cent. per annum from date, and stipulating that if collected by an attorney after maturity, a reasonable per cent. attorney's fees are to be added.

NOW, THIS INDENTURE WITNESSETH, That the said part ies of the first part, for the better securing of the payment of the said sum of money mentioned in said promissory note and for and in consideration of One Dollar, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, sold, and conveyed unto the said part y of the second part, his heirs and assigns forever, the following described land [illegible] in Calhoun County, Florida, and described as follows:

--N½ of NW¼ and NW¼ of NE¼, Section 6, Township 2 North, Range [illegible] containing 120 acres more or less.

$2.80

J. Dem Hall

[illegible] hereby fully warrant the title to said land, and will defend the [illegible] of all persons whomsoever.

[illegible] Lenzy Reed and Willie Mae Reed, his wife [illegible] shall well and truly pay unto the said part y of the second part, [illegible] the said sum of money mentioned in said promissory note [illegible] together with all costs, charges, expenses and [illegible] of the second part may incur or be put to in collecting same by foreclosure [illegible] on said land and then these presents and the estate hereby created [illegible] otherwise to be in full force, virtue and effect.

This Indenture, Made [illegible] day of [illegible]

between Linzy Reed and Willie Mae Reed [illegible]

of the County of Calhoun State of Florida [illegible]

part, and W. T. McClellan [illegible]

of the County of Calhoun State of Florida [illegible]
ond part [illegible]

WHEREAS, The said Linzy Reed and Willie Mae Reed, his wife [illegible]

justly indebted to the said part y of the second part [illegible]

Sixty Five Hundred & 00/100 [illegible]

promissory note [illegible] dated the 28th [illegible]

Sixty Five Hundred & 00/100 [illegible]
as follows: $1300.00 and accrued interest [illegible]
$1300.00 and accrued interest [illegible]
December thereafter until paid in full [illegible]
with interest at 10 per cent per annum [illegible]
[illegible] a reasonable [illegible]
that if collected by an attorney after maturity [illegible]

NOW, THIS INDENTURE WITNESSETH, That the said part ies [illegible]

of the payment of the said sum of money mentioned in said promissory note [illegible]

in consideration of One Dollar, to them [illegible] in hand paid [illegible]

part, the receipt whereof is hereby acknowledged, ha ve [illegible]

part y of the second part, his heirs and assigns forever, the [illegible]

lying and being in Calhoun County, Florida, and described as follows:
N½ of NW¼ and NW¼ of NE¼, Section 6; also
NW¼ of SW¼ and NW¼ of SE¼, less a strip 88 yards off the [illegible]
South sides, Section 5; also
Begin at SE Corner of NE¼ of NW¼ and run West 88 yds for point [illegible]
beginning, thence run North 440 yards, thence West 88 yards, [illegible]
South 440 yards, thence East 88 yards to point of beginning [illegible]
All in Township 2 North, Range 7 West and containing 176 acres [illegible].

also fourteen (14) head of cattle and 1 Ferguson 30 tractor [illegible]
tractor purchased from R. L. Wilson Tractor Company.

Received $ [illegible] [illegible]
[illegible] Class (C) Intangible [illegible]
[illegible]

Know All Men By These Presents:

That I, W. T. McClellan, without recourse party of the first part, in consideration of the sum of --Fifty-Nine Hundred Th[illegible] and 00/100-- Dollars, and other valuable considerations, received from or on behalf of Obie McDaniel, party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, assign, transfer and set over unto the said party of the second part a certain mortgage bearing date the 28th day of December A. D. 1959 made by Linzy Reed and Willie Mae Reed, his wife in favor of W. T. Mc Clellan and recorded in Mortgage Book 70, page 497, public records of Calhoun County, Florida, upon the following described piece or parcel of land, situate and being in said County and State, to-wit:

--N½ of NW¼, and N W¼ of N E¼, Section 6, Twp. 2 North, Range 7 West, and containing 120 acres, more or less. Also, fourteen (14) head of cattle and 1 Ferguson 30 tractor and being the tractor purchased from R. L. Hinson Tractor Company.

FILED
'64 JAN 29 PM 2:37
CLERK OF CIRCUIT COURT
CALHOUN COUNTY, FLORIDA

Together with the note or obligation described in said mortgage, and the moneys due and to become due thereon, with interest from the 28th day of January 1964.

To Have and to Hold the same unto the said party of the second part his heirs, legal representatives, successors and assigns forever.

In Witness Whereof, I have hereunto set my hand and seal this 28th day of January, A. D. 1964.

Signed, sealed and delivered in presence of:

W. T. McClellan (L.S.)

(L.S.)

STATE OF FLORIDA,
COUNTY OF Calhoun

I HEREBY CERTIFY, [illegible] officer duly authorized in the State aforesaid and [illegible] to take acknowledgments, [illegible]

W. T. McClellan

to me well known to be the person described in and who executed the foregoing [illegible] he [illegible] the [illegible] executed the same [illegible]

WITNESS [illegible] 28th

[illegible] January [illegible] 64.

[illegible] Clerk Circuit Court

1022
STATE OF [illegible]
COUNTY [illegible]

Exhibit

Know All Men By These [illegible]

That I
(I, We)

, Harvey McCroan, [illegible]

of the first part, in consideration of the sum of
-Eighteen Hundred Twenty and 00/100--
and other valuable considerations, received from or on behalf of

[illegible] McDaniel

of the second part, at or before the ensealing and delivery of these presents, [illegible] acknowledged, do hereby grant, bargain, sell, assign, transfer and set over [illegible] second part a certain mortgage bearing date the 31st day of [illegible]
made by Lanzy Reed and Willie Mae Reed, his wife
in favor of Harvey McCroan
and recorded in Mortgage Book 72 [illegible]
County, Florida, upon the following described [illegible]
being in said County and State, to-wit:

The North half of Northwest Quarter and [illegible]
West Quarter of Northeast Quarter, [illegible]
Township 2 North, Range 7 West and [illegible]
120 acres more or less.

Together with the note or obligation described in said mortgage, and the moneys due and to become due thereon, with interest from the 28th day of January [illegible]

To Have and to Hold the same unto the said party of the second part, heirs, legal representatives, successors and assigns forever.

In Witness Whereof, I have hereunto set my hand and seal, this 28th day of January, A. D., 1964.

Signed, sealed and delivered in presence of:

J. A. [illegible] Harvey McCroan [redacted]

Sharon Jacobs [redacted]

STATE OF FLORIDA
COUNTY OF Calhoun

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared
Harvey McCroan
to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 28th day of January, 1964

#4021

STATE OF [illegible]
COUNTY OF C[illegible]
FILED [illegible]

J. A. [illegible]
Clerk Circuit Court,
Calhoun County, Fla.

Exhibit 6

[1965] [June?]

Memo
To: Carl Rachlin and LCDC Attorneys

From: John D. Due, Jr.

Re: Linsey Reed case

The Facts

At an early date in March, Mr. Linsey Reed come to the CORE office to seek help. I was called in. Mr. Reed came to our office because of his belief that he had been discriminated against because of race and color. This discrimination was based upon the fact that he had applied for an FHA loan, a property loan, so that he could pay off obligations on his farm which amounted to $6,500 dollars. The local FHA county committee is an all white group similar to all other FHA committees in this area. Not only does he believe that this local FHA committee turned him down because of race, but because he believed that they, the local committee or their friends, had an interest in the land and thought that they could take the land for their own interest. He sought a loan because not only was there obligations due on the land but because these obligations were going to be the basis of a threat of foreclosure. The party holding the assigned mortgage on his land had indicated that either Mr. Reed sign over with a deed title to the land, or he would foreclose. Mr. Reed believes that the county agent is a party to this whole conspiracy indicating that the county agent, contrary to the intent of the law is not therefore seeking in any manner or form, to assist Mr. Reed in keeping his land, that this same county agent rather, has been insisting that he give up the title to the land to the mortgage-assignee. The land in question is rich farm land, involving more than 120 acres. I have procurred copies of the mortgages and learned the following: In 1960 Mr. Reeds father, who is now incompetant and incapiciated, borrowed more that $6,500 dollars from a certain money lender at 10% interest for 5 years-or $1,300 dollars a year. This obligation was a promisory note at 10% secured by a mortgage. This same mortgage was assigned to a second party who loaned Mr. Reed $1,300 dollars, the amount of the first payment on that particular note, the second party, taking a second mortgage also on this same land. Both mortgages have been assigned to a third party

20%

who is now seeking to foreclose, Osie Mc Daniels. Mr. Reed, subsequent to our first interview, in the month of March or early April, attempted to get another type of loan from FHA. Of course the operating loan was denied on the grounds that the county agent knew that there was going to be an attempt to foreclosure and therefore there was no apparent belief that the land was to be in Mr. Reeds hands in order to pay off the debt. I then took Mr. Reed case to the State Office of FHA. The state office indicated that we must take our appeal back to the county, We did have an interview with the county agent and the county agent reluctantly agreed to reconvene the county committee. Mr. Reed indicated that the hearing was unfair, that because so much was left to the discretion of this county committee, there was much room for discrimination, which in fact was in effect. The members of the county committee made only a brief investigation, and with the recommendation of the county committee, turned down both loans under FHA. Le Faucette then discussed the case of Mr. Reeds with FHA representatives in Washington, D. C. After they studied the so called records, made a finding which is enclosed with this memo. At the same time of my receiving this final letter from Washington, I received notice from Mr. Reed of this complaint to foreclose the land. (See attached complaint)

At the present time, I believe that we have exhausted our so-called administrative remedies as far as the Department of Agriculture is concerned. However Carl, I would appreciate it if you would call the Department of Agriculture and see whether or not we can get a different determination. In the mean time I am trying to delay this final order of foreclosure. Do you have any other ideas of how to delay this particular order? A motion to dismiss was denied July 9, and I was given 20 days to file other pleadings, July 29.

Here are my suggestions: The net income of Mr. Reeds family, including his wife, father, mother, sister and four children is about $2,000 a year. Mr. Reed cannot affort a fee and we have taken this case, if not as a civil rights case, as a case related to the neighborhood lawyer concept of Cahn. We shall then study Florida Proceedure to see whether or not an indigent can proceed to protect his property rights. If this is not provided under Florida Proceedure, I think that we should remove the case immediately to the Federal Court. I believe that Federal Proceedure allows an indigent to protect his civil and property rights, although if I remember, it is discretionary with the district Judge. Of course the main ground for the basis for removal is that Mr. Reed cannot protect his rights as an indigent under Florida Proceedure. Then next, I believe that we should file this case in the U. S. District Court of Washington, D. C., because I believe that since we are removing this case as a civil action, the most convenient forum would be the Department of Agriculture. Thereby we in this civil action would also join the Department of Agriculture as an essential party. Your immediate comments would be appreciated.

P. S. Why all this concern about working this case with Linsey Reed as an indigent? This is because SEDF does not really have any money for this type of case since it may not be within the guide lines. (see guide lines for SEDF Lawyers-but also see packet for CORE-SEDF Lawyers-January, 1965). I believe that the Fourth Amendment and the right to counsel amendment of the Fourteenth Amendment demands that each person deserves equal protection of the law regardless of their financial condition. Therefore, this case is going to involve a lot of expense, which should not be born by the Legal Defense Fund, or CORE-SEDF, but by the U. S. government or the State of Florida. As an example of expenses we need to take depositions immediately from the first mortgagee. Linsey Reed states that Negroes are unable to get bank loans and are therefore forced to go to the "great white father" who will charge them 10% interest, he will then go to the bank and get the necessary funds for them. We also need to take depositions to determine whether or not their promisory note is an illegal promisory note, and of course, if it is the whole mortgage is illegal.

July 1, 1965

Mr. S. Tanner Stafford
1000 Tanner Drive
Tallahassee, Florida

Dear Mr. Stafford:

Thanks so much for your note. We will endeavor to pay the rent at 540½ West Brevard Street according to the terms you indicate.

It is my understanding that this space is occupied by John Due, Florida Counsel of the CORE Scholarship, Education and Defense Fund. We accept the obligation of paying the rent of our counsel, and no other obligation.

We do not have a copy of the lease on file at our office, and I would appreciate receiving one. Nor do I know the amount of the rent. If you send this information promptly, we will send a check by return mail.

Sincerely,

Marvin Rich
Executive Director

MR:hm

cc: Mr. John D. Due, Jr.

July 2, 1965

Southeastern Telephone Company
315 N. Monroe
Tallahassee, Florida

Gentlemen:

Enclosed is accheck in the amount of $238.24 covering balance due for services rendered

Telephone No. 222-2317

Address: 540 1/2 West Brevard Street
Tallahassee

We understand that phone service has been cut off. Please arrange for reconnection as soon as possible. Thank you.

Sincerely,

Hope Maynard
Secretayy to Mr. Marvin Rich

/hm
Enclosure

July 2, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are two checks as follows:

1. Check for $169.08, which is to be deposited with the Lewis State Bank which represents reimbursement for expenses
2. Check for $2.78, which reimburses LeAnn Faucette for various incidental expenses

We have paid the following bills which were submitted by you.

Huggins Business Machines
Civil Rights Handbood
Tallahassee Typewriter & Supply Co.
A. B. Dick Products
Check Mark Office Supply
Southeastern Telephone Company

Mr. Rich has asked me to tell you that you will receive a summary and explanation of your expenses.

Sincerely,

Hope Maynard
Secretary to Mr. Rich

/hm
Enclosures

John D. Due, Jr.
Florida Counsel
Report week ending
July 3, 1965

I School Desegregation

Holmes County, Bonifay, (Negro school was closed) nine teachers were terminated by so-called school desegregation. Problem is handled by the Florida State Teachers Association, a all Negro group the NEA, and the Legal Defense Fund NAACP. We have written a letter to the legal Defense Fund indicating that we are willing to assist in any manner.

B. Candle of Hope Candle of Hope is a school for the mentally retarded. This school is in a city owned building. This school had previously received $4,000 for a county teachers by the name of Mrs. Ann Tate. But upon the application of a Negro for her child (Mrs. Menkins), they voted to not have any connection with the county; have terminated the county teacher and now are going to receive $4,000 from the United Fund in order to remain segregated. Mrs. Menkins, on behalf of her child is willing to be a plaintiff in any type of action.

C. Gadsden County. Gadsden County has drawn up a different school desegregation plan to comply with Title VI which has been accepted by HEW. Some of the items in the original plan of school desegregation have been changed, such as the continuing the initial assignment of children to their former schools which was on a racial basis. A newspaper copy of this plan is included with this report to Carl Rachlin. Nothing is stated about faculty desegregation; therefore it is still objectionable on that basis. A law student is photocopying the official copy at the State Department.

D. Suwannee County. had a meeting with the local Live Oak NAACP and VoterLeague July 7 to discuss our work discuss the school desegregation plan which has been approved by HEW.

E. Jefferson County. The CORE staff worker Sidney Daniels is in the area to find out whether or not there is any more community interest pertaining to their rejected school desegregation plan.

F. Gainesville-Alachua County. The State of Florida on a State wide basis is involved in consolidating the school system in Alachaua County on a "racial basis". I believe that this may be a basis of a state wide suit. If CORE is still interested in a state wide suit I have more information relating to Alachua County.

II Public Employment

A. Chattahoochee Hospital. After we formed the Chattahoochee Hospital Improvement Association which sent a protest pertaining to discrimination in employment and low salary; a letter of protent was sent to HEW and Gov. Burns. After two meetings, they have initiated desegregation of their restaurant facilities; as of July 2 lthey have equalized salaries scale which before hand was discriminatory towards Negroes, and have promised to employ in the future and to promote in the future on the basis of qualification rather than on the basis of race. What was important was that the Hospital people did admit that their past policy was to hire on the basis of race. Relating to low wages, I got in touch and on behalf of the Improvement Association, Mr. George Wingate, a organizer for the State

State, County and Municipal Employees Union, who did speak to the Improvement Association and who are now interested in forming a local there.

B. Florida State University. A Negro employee from Florida State University came to our office complaining that the low wages, 75 cents per hour, was violation of his civil rights. A Florida State Employees Improvement Association was formed, and a letter has been sent to the P President of the University to complain. This coming Friday, members of the Improvement Association and myself will meet with the President of the University, and if the group is not satisfied, a letter of protest will be sent to HEW and the Governor Burns.

III Federal Programs
We have received information and a complaint that Negro participants with the MPDTA in Gainesville Florida are being discriminated against. An investigator has already been sent down from the Labor Department, but I was not able to meet with him. In writing this report, I do not know whether or not the law student which I sent down there had an opportunity to speak with this investigator about the matter including the particular case.

2. Farm Extension. Mrs. Palmer, an employee, has complained to us about her unequal pay schedule and about the segregated facilities in which she works. She testified before the advisory committee to the United States Civil Rights Commission, and we have sent a letter of protest to the Department of Agriculture, to FHA Washington, D. C. Mr. Linsey Reed appeal has been rejected and now his land is being foreclosed upon him. See cases. Soon a memorandum shall be written indicating a need for a suit against the Department of Agriculture on behalf of Mr. Linsey Reed. Se past reports relating to Mr. Linsey Reed, for the subject matter of this problem.

3. Migrant workers. Despite the contract between the National Sharecroppers Fund and the Department of Labor where the Sharecroppers Fund is to recruit workers to work down in south Florida, Sidney now a CORE task force worker did not receive any cooperation from the local State Employment Office. It is our conclusion that this is deliberate, that the local Employment Offices are in colusion with the grower interest in North Florida who want to keep the wage scale of their Negro workers on the tobacco farms depressed at $4.00 a day and subject to economic repression.

IV War on Poverty
We have just recently received an answer relating to our report to Washington about the lack of poverty people on the Madison County Community Action Agency. In Gadsden County, in the morning we shall have a conference with Mr. Feltus of the Atlanta regional OEO relating to our protest about the Gadsden County Community Action Agency. Relating to Leon County, a law student has been assigned to study and to stimulate the Leon County Community Action agency to work. In Jefferson County, a CORE task force worker has gone there to determine whether or not people there want to go ahead and form their own community action agency. In Liberty County, the county where there are only 3000 people 600 of them being Negroes, we have drawn up the Articles of Incorporation for local community action agency, as preliminary steps for a multi county community action agency to include the other surrounding counties. The Articles of Incorporation are to be accepted by the Board of Directors this comming Thursday.

V Public Facilities
By mistake I informed Carl Rachlin that a court order opened up the Jacksonville, Florida swimming pools (this was information received in the Tallahassee Democrat). But upon further investigation, we found that this was nothing but a court order stating that pools while open must be open on a non-segregated basis. What opened up the Jacksonville swimming pools, was negotiations with the Mayor. Another petition is being circulated within both white and Negro communities demanding

that the Tallahassee swimming pools be opened. I believe that it is about time that we file a motion for a preliminary injunction, if we want to have the pools open this summer.

We have three LSCRR law students and one LCDC attorney. Everybody is busy, but unfortunately the LCDC attorney 4 was one week too late. In the week of June 24, I had to be at two different places at the same time, and because of that, the bond was estreated. The following are the cases which we have procurred or participated in or are involved in for the Month of June.

Willie Richardson, a defensive case. Request by local NAACP. Carrying a concealed weapon. Status, we have had an arraignment and now we are in negotiation with the prosecutor to suspend the case because Willie wants to leave town.

2. James David McNealy defensive case, a request by CORE, a Gadsden County case wherein the Negro was accused and convicted of assault with intent to kill with 15 years. The facts are that it is alleged that he shot a white beverage officer in the throat. We have had a trial and filed a motion for a new trial. The only substantial error I can find at the present time is that there were segregated witness rooms. May file notice of appeal.

3. Linsey Reed-request by CORE. A complaint has been filed against Linsey Reed to foreclose the mortgages. I have filed a motion to dismiss which is to be heard this comming Friday.

4. Thomas Kelly-a defensive case. Request by local NAACP. A racial arrest made of this juvenile who was bold enough to ask a police officer for a ride home. The charge was disorderly conduct and interferring with arrest. Thomas Kelly was beaten in jail but we have not been able to get the doctor to testify that there were any apparent marks on his body. Arraignment and file motion Bill of Particulars.

5. David Dukes. Defensive case. David Dukes is a Madison County CORE worker in charge of the Madison Movement. David Dukes was arrested for disturbance of the peace which involved singing. He and nine other juveniles were picketing a theater which we found actually had desegreated. However the facts came out at the juvenile hearing and the City Court trial that the only disturbance was that the white employees were annoyed by the singing. We believe that this is not that type of annoyance which can be prohibited and therefore interferring with free speech according to South Carolina v Edwards decission. We have filed notice of appeal.

6. Charles Harris-an affirmative case. This case involves a Negro who was had his back seriously injured by an accident at his place of employment covered by Workmans Compensation. There is suggestion of collusion between his white attorney and his insurance company and the doctor who has treated him, the doctor even suggested that he can go back to work whereas another doctor, a Columbus, Georgia specialist has advised that if he assumes any labor he may die immediately. We are involved as an " amicus Curiae" keeping our eye on everybody concerned.

7. Bryan King is a new CORE volunteer who was arrested in Monticello, Florida for public intoxication. The fact of the matter is that he was distributing leaflets advertising a public meeting of the Jefferson County Improvement Association. We are preparing a petition of removal to be filed this comming Friday.

8. Hesikiah Carroll-defensive, request by CORE. This case is where a Negro was just picked up just because some white women were complaining that the car behind them had been blinking the lights at them while driving down the highway. Hesikiah Carroll was accused

of disorderly conduct. But because I could not be at the same place at the same time this case and bond was estreated. The fact of the matter is that the Judge had prior knowledge that I would have difficulty being there at that time so it is he rejected the custom of waiting for the end of day for one to appear and exactly at 9:00 a m called Hesikiah Carroll's case when neither of us were there and we estreated the bond. I am to argue the motion of petition against estreature this commind Monday.

9. The Blanch Floyd case, requested by Gainesville CORE, this is the case comming out of Gainesville wherein Negro Blanch Floyd with knowledge of the police and to the court was required to waid 6 hours on a hard bench waiting for her case to be called. In any case upon her being detained in jail, she suffer a miscarriage and did not receive any relief upon the first indication of any pain. We are digging out information with the use of law students, and have at least charged the city to the point wherein now they will pay for the hospital whereas before, the expenses of the hospital had been charged to her.

10. James Irwin is that case involving discrimination in the Manpower Development Training Act. Because James Irwin complained about discrimination, he has been given very poor grades and given a bad record which will be against him in any attempt to apply for a job anywhere. I hope to seek administrative releif in order to correct his report.

Conclusion

I have assigned a law student to make a daily report of everything that is happening beginning as of Monday, and therefore I hope that we can be a little bit more quicker in our reporting. Law students arrived, beginning on 10th-but we suffered for being without an attorney to help until the 28th of June.

11. Joe White-defensive case-requested by local NAACP. A Negro taken advantage of by unfair retainer contract with white attorney who has sued Mr. White. Final order has been entered which we shall appeal if National NAACP will assume the expenses.

July 7, 1965

Mr. John Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Recently I sent you a photocopy of our exemption under Section 501 C3, of the Internal Revenue Code.

In New York City, organizations which are exempted under this Code are also exempted from New York City sales tax. This represents a substantial saving for us. It may very well be that we are exempted from paying Florida sales tax as well.

Can you check on this and fill out the necessary papers in so far as you can.

Sincerely,

Marvin Rich

MR:hm

N. Fla.

July 7, 1965

Mr. John Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am very much concerned about the financial operations of your office. I have written you in some detail on June 17 and am writing you again.

You are Florida Counsel for SEDF. Responsibility for administration of this office and for its financial operations is yours. This responsibility cannot be delegated to anyone else. If bills are not paid promptly, I should hear from you, not a secretary. But there is another sense in which you must exercise personal responsibility. You must see that the accounts are clear and accurate, and that they reflect the payment of SEDF obligations and of no other obligations. I am enclosing several copies of a statement of account. This will show you the amounts which have already been expended for the Florida office. You should sign one copy of the account indicating that it is accurate to the best of your knowledge, and return this copy to me. If there are any questions, please let me know promptly.

Under the new system, we will pay most bills directly from this office. However, to do this, I must have authorization from you that these bills are in fact obligations of CORE SEDF. This means that when an item is purchased, we must have a copy of the shipping slip or an invoice and a statement from you that it was in fact received. If items are returned, we should also know this promptly so that we will not overpay. Thus, we received a bill dated May 15 for two boxes of onionskin paper. We received another bill dated May 17 for two boxes of onionskin paper. We have no way of knowing whether you ordered and received four boxes or whether you ordered two boxes on the 15, found they were not available, and reordered on the 17.

Neither the auditor nor I can understand the distinction between the John Due Trust Account and the CORE SEDF Account. We have authorized only one account and all bills should be paid from that account. Further, your personal obligations should not be

- more -

paid from our account nor should we receive copies or material relating to them. I am, therefore, returning to you your note from the Lewis State Bank and the letter of June 8, signed by Mr. Lewis.

The following items sent by you to us, cannot be paid at this time.

CORE SEDF ACCOUNT

1. Check No. 128, John Due, $5 - automobile expense--not reimbursible
2. Check No. 129, dated May 10. $30 salary for LeAnn Faucette is not reimbursible. On May 10, she was being paid from New York City. Also, on this check, $35.27 was for automobile expense and is not reimbursible since you were paid monthly for automobile expenses.
3. Check No. 135, bills on May 18, Pure Oil Station for $27.69 - automobile expenses
4. Check No. 144, dated June 2, Lewis State Bank note of $100 - certainly a personal expense and not reimbursible

JOHN DUE TRUST ACCOUNT

1. Check No. 115 to LeAnn Faucette for $50. Reimbursement will be made by CORE SEDF only for specific expenses. We do not know what expenses this $50 was intended to reimburse
2. On April 8, Check No. 121, to Woolworth for $1.43. No explanation submitted.
3. April 13, No. 125, to Mrs. Due. $100 presumably a personal expense
4. April 21, Check No. 127, Lewis State Bank, $106.14. A personal transfer of funds.
5. April 26, No. 129, Patricia Due, $24.15 Transportation to Miami. No reason given why CORE SEDF should pay.
6. April 29, check to John Due for $29.91 Reimbursement will be made only for specific expenses.

- more -

I am sending you a schedule. This is a statement of your expenses submitted as of May 31. The first page indicates the expenses paid in behalfoof SEDF, and which we are reimbursing. The second page lists those expenses which we are not reimbursing.

The auditor also raised questions about paying the $23.44 for office furniture. He indicated that the office was used for personal clients as well as SEDF. However, at this point, I am willing to authorize payment of this bill. There is another question as to the employment of Althea Mitchell for secretarial work. Certainly the person employed as your secretary is your responsibility. But the number hired must fit in the framework of the overall budget. If Althea Mitchell was doing secretarial work during this period, was LeAnn Faucette also doing secretarial work? If not, we should have been notified and she should not have been paid.

This is a long letter. I hope that we can, in the future, work together and see that the funds of the organization are handled properly. Proper handling will mean speedier payment.

Sincerely,

Marvin Rich

MR:hm
Enclosures

JUL 12 1965

Northern
Florida

July 7, 1965

Mr. Samuel Perelson
270 Madison Avenue
New York, New York

Dear Mr. Perelson,

It is admitted that we began our office operations without any instructions or guide. It is also true that we began operations for slmost a whole month without any funds. The fact of the matter is that we proceeded to operate for a month with our own personal funds, as well as funds obligated to Carl Rachlin. These funds were put into a John Due Trust Account in order to operate a SEDF law office.

We have sent many letters and we have made many phone calls to New York about this matter. It would be greatly appreciated if the aforesaid obligations were taken care of immediately. It matters not how. It will be quite agreable to us if checks were sent to the Florida CORE-SEDF account and not directly to the persons who are obligated. I do wish that this be done before the account is closed.

Other matters referred to in your last letter: the $25.25 phone bill has already been approved by Marvin Rich; the printing done by Mr. Scott includes "CORE Scholarship, Education and Defence Fund" and two other CORE signs; the Hillman we are using is very difficult to drive by others than myself or Patricia--it is an automobile first used by Voter Education Campaign which proved to be unreliable then, as it is now.

Sincerely,

John D. Due, Jr.

JDD/jmg

cc: Marvin Rich
Carl Rachlin
Andrew Norman

Put the correct
Address on the
letter

JUL 12 1965

July 8, 1965

John Due, Esq.
CORE SEDF
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

I got your letter of the 24th. Marvin Rich had already yelled at me about it even before I saw it since I was at the convention and it came to New York. I do not know who authorized you to say the project was ending in February, 1966. Maybe your plans are to go elsewhere but ours are to continue.

Of course we are prepared to represent any and all civil rights workers in the area; that goes without saying but you will do it as we have discussed numerous times, on behalf of CORE SEDF and/or CORE. If the NAACP wants us to represent them in any case we will do it but you will be designated as the CORE SEDF or CORE attorney, as it may be. And just to make it even clearer, you will put my name on all papers, particularly those in which they have asked you to represent them. They frequently forget to give us any credit on matters which we have asked them to handle. We have to raise money on what we do and the only way we can get credit for what we do is for all the world to know about it. I want us to do good work and I want everyone to know about it at the same time.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: Marvin Rich

July 8, 1965

Mason's
The Curiosity Shoppe
706 West Gaines Street
Tallahassee, Florida

Gentlemen:

Enclosed is a check in the amount of $82.92 covering payment of bill dated June 29 for various items ordered by Mr. John Due, through Miss LeAnn Faucette.

We would appreciate having these items delivered as soon as possible.

Thank you.

Sincerely,

Hope Maynard
Secretary to Mr. Marvin Rich

/hm
Enclosure

cc: Mr. John D. Due

[enclosed, Maynard to Due, 1965, July 8]

DISBURSEMENT SCHEDULE

SALARY

Date	Person	Amount	
March 30, 1965	John Due (five weeks)	$ 530.85	(net)
April 7	John Due	212.34	"
April 19	John Due	212.34	"
" "	LeAnn Faucette	40.98	"
May 5	John Due	212.34	"
" "	LeAnn Faucette	40.98	"
May 17	John Due	212.34	"
" "	LeAnn Faucette	40.98	"
June 2	John Due	212.34	"
" "	LeAnn Faucette	40.98	"
June 16	John Due	212.34	"
" "	LeAnn Faucette	40.98	
June 30	John Due	212.34	
"	LeAnn Faucette	40.98	
	Total	$2,263.11	

EXPENSES

Date	Purpose	Amount
March 19, 1965	Opening expenses of office	$ 323.00
April 7	Funds to open bank account	300.00
May 17	Fees for swimming pool suit	92.64
May 25	Increasing of bank balance	200.00
June 11	Telephone bill	149.89
" "	Sign painting	25.00
" "	Newspaper subscription	7.50
" "	Office supplies	65.75
" "	Supplies	28.79
June 15	Car use, April, May, June	450.00
June 30	Car use, July	150.00
July 1	Telephone	238.24
" "	Reimbursement LeAnn Faucette	2.78
" "	Office supplies	104.02
" "	Supplies	120.90
" "	Typewriter supplies	14.58
" "	Civil Rights Handbook	15.30
" "	typewriter rental	20.60
" "	Reimbursement for expenses (Lewis State Bank account)	169.08
	Total	$2,478.07

Grand Total - $4,741.18

July 9, 1965

Mr. Francis Keppel
Commissioner of Education
Department of Health Education and Welfare

Dear Mr. Keppel,

A provision of the new school desegregation plan of Gadsden County, recently approved by your department, specifically requires that copies of the plan be made available to the public. Although the re-registration period is July 12-16, there are no copies available for distribution or which may be copied.

As a representative for, and upon the complaints of, the Civic Interest Group of Gadsden County and the Congress of Racial Equality, my office investigated the availability of the plan. We found that the superintendant of schools of Gadsden County has refused to make copies available for inspection much less distribution. In order to see a copy of the plan, a citizen must travel to the headquaters of the State Department of Education in Tallahassee. Even there, no copies are available for distribution.

Clearly this practice violates both the conditions of your department's acceptance of the plan and the terms of the plan itself. On behalf of CORE and the Civic Interest Group, we protest this as an attempt to nullify the effect of the desegregation plan, and in addition, this violates Title VI of the 196~~5~~4 Civil Rights Act.

We have enclosed photocopies of statements signed by Mr. James Campbell of the State Department of Education, and Mr. Max D. Walker, the Superintendant of Public Instruction for Gadsden County. These statements attest to the facts against which we protest.

Yours truly,

John D. Due, Jr

cc: Campbell
Walker
Rachlin
Crutcher
Gordon
enclosure
JDD/lf

SARC? MACHLIN

REPORT FROM TALLAHASSEE

JULY 11-25, 1965

1) COMMUNITY ACTION GROUPS

These have been formed for a variety of reasons and our relation to each of them has varied according to its individual purposes(i.e. advising employees as to unionizing, explaining poverty program to community, etc.). Generally, we have been: 1) helping them get the idea of forming a group; 2) helping them contact those in the community interested in joining(drafting letters to community leaders, drawing up lists of those who can be contacted); 3) advising them about organization; 4) explaining to them what things they can accoplish through their organization and how to effect them; 5) aiding them inestablishing permanent organizations (drafting formal consitutions, articles of association, and articles of incorporation); 6) giving them any legal aid necessary (filing incorporation papers for them, etc.); 7) acting as a medium for communication between groups as when there must be several counties joined together to apply for poverty program funds; 8) acting as their representative when necessary(accompanying the groups' officers to meetings with Commissions, Governors, and other officials);

a) Florida State University Employees Improvement Association

Helped this group organize to protest discrimination among the employees. Advised the group through its organizing pains(see above), helped it protest and seed redress for its initial grievances, and arranged for it to meet with George Wingate, a union organizer, to consider the possibility of forming a union local from the original group. At the request of the group(100 members) we are writing to Jerry Worth to inquire into union affiliation.

b) Liberty County

Initiated a poverty program group. Advised and explained what needed to be done. Helped organize surrounding counties so that they mights band together to apply for Federal funds (each was too small by itself).

c) Madison and Jefferson Counties

Continued to advise an already flourishing groups fromed by CORE and SCOPE workers there. These counties are in the easternmost part of the CORE project and our office has been concentrated in the

Madison's group applied for Federal funds but was rejected because of their size. We must now help them contact Jefferson, Suwannee, and perhaps Taylor County so that they may form a multi-county group.

d) Liberty County

We helped the group organize, elect officers, prepare to incorporate, and go through the ritual of inviting the power structure to their meetings. We now must meet the problem caused when the white structure forms its own committee to compete for funds. Our problem now is to reconcile the two groups and insure representation of poverty people on the board of directors of the Community Action Program.

e) Calhoun County and Suwannee County

Helped them start to organize in order to form with Liberty County in seeking funds.

f) Gadsden County

In March we sent a protest to Sargeant Shriver that the poor were not sufficiently represented on the board of the local group(Gadsden Community Action Inc.). This was done on behalf of the "Civic Interest Group" which we have continued to advise. In July we met with Mr. Feltus of the Office of Economic Opportunity and decided with him and representatives from the Gadsden County groups that there should be a public meeting of the poor so that they might choose their own representatives (eligibility to be determined by the County Welfare Department). The white group hoped to satisfy the requirement that the poor be represented by handpicking a fwe through the County Welfare Department. A suggestion (petition) was submitted to this group that they allow the poor to elect their own representatives. It was unanimously voted down.

g) Jackson County

We have helped CORE form a Community Action Agency. The county is large enough to qualify for funds by itself (45,000 of which 15,000 are Negroes). There is a strong, and quite obstructive, NAACP with which the agency must work.

h) Leon County (Tallahassee)

Three months ago we helped arrange a public meeting, inviting the Tallahassee Resource Council to explain what it was doing in regard to the Poverty Program. This group had intended to become the Community Action Agency for Leon. We demanded that it alter its composition to include both civil rights people and representatives of the poor. While the group hesitated and rationalized their refusal to change, the local city officials organized their own separate group to seek Federal funds (July 2). At the request of Rev. Steele, local SCLC leader, we are planning a public meeting on August 1 to form a new group which will be representative of all factions of the county and therefore qualify for federal funds.

2) CIVIL RIGHTS CASES

a) Floyd case

Researched/investigated the case of a woman who had a miscarriage in Gainesville jail. Looked into the possibility of a suit.

b) Re-researched all the cases pending in Jacksonville Federal Court from last year's civil rights demonstration. Planned to move under local rules to have the cases dismissed for non-prosecution and the bail returned.

c) Received complaints and prepared a Voters Registration suit for Gadsden County voters. The books are open only one day a week (Monday). This case is to be filed July 29.

d) Researched the status of the title of Cherry Lake, a swimming area sold by the Federal Government to Madison County and leased by the county to private individuals. Advised CORE workers on the propriety of a test. Attended the testing of the facilities. Drafted a letter to the Federal Government advising it of the segregation of the facilities and requesting that it exercise its rights under a reverter clause which required that the land be used for public recreation. Suit to be prepared.

e) Tallahassee Swimming Pools Suit

Investigated the opening of pools closed in Jacksonville under similar circumstances

cumstances as the ones in Tallahassee. Moved for preliminary injunction and temporary restraining order. Had to prepare the argument ourselves.... brief received from New York proved "off point" at best. Argued defendants' Motion to Dismiss and our motion for Injunction. Lost case on Motion to Dismiss. Filed appeal.

f) Drafted lists of all the hospitals in the area to be tested by CORE under Title VI of the Civil Rights Act. Began checking some of them with CORE workers.

g) Looked into conditionsat the Sanitarium and Boys' Reformatory in Marianna (Jackson County). The NAACP Legal Defense Fund has a suit in the courtsnow affecting this situation. We intend to write a letter to Leroy Clark for information.

3) SCHOOLS

a) Investigated the desegreation plans of a number of Counties for CORE. Advised on transfer of students and later advised parents of students who were refused transfers. Several appeals have been made to local school boards but as yet no suits filed.

b) Investigated complaints of Negro teachers in Holmes County who were fired when the schools were forced to be integrated.

4) CIVIL RIGHTS WORKERS

a) Defended Brian King, CORE worker arrested in Monticello on fabricated charge of Public Drunkenness. Removed to Federal Court.

b) Filed appeal in David Dukes case previously reported. This is a case which so obviously has to be thrown out that we decided to appeal it through the Florida courts and to force them to overturn it themselves.

c) Investigated the beating of SCOPE worker Bill Bigelow. Helped pressure local officials into prosecuting and we are about to begin a civil suit for him which will get heard before a liberal judge in Jacksonville.

d) Defended a SCOPE worker Charles Ween who was arrested for "destroying public property" when he bumped into a police car which had quietly blocked his driveway. Got temporary continuance since he never received a warrant or summons.

e) Investigated the arrest of CORE worker Bill Dalyrymple for having no Florida license. Bad charge since he is not a resident and in not gainfully employed. Will defend him.

5) COMMUNITY LAWYER'S CASES

a) Usurious loan case(Linzy Reed). Land about to be taken and seems to be nothing we can do since there are no receipts for loan payments.

b) Drew up several lease forms.

c) Finished defense of client who shot Coca Cola delivery man. Elected not to appeal.

d) Advised client on seeing Small Business Administration for loan. Helped him there and before the Florida Industrial Commission.

e) Lost petition to set aside the estreation in case of fabricated charges against Negro who was alleged to have blinked car lights at two white girls. Bond forfeited but charges dropped. The girls said he'd done nothing to them.

f) Contacted Industrial Rehabilitation Program office concerning workmen's compensation claim. Hearing soon.

g) Advised on adoption of a child.

6) WORK DONE IN THREE DISTANT CITIES

a) Gainesville--- Discrimination in MBTA and Headstart Program, both sponsored by Federal funds. Hearings will be held by the appropriate government agencies to determine whether federal funds should be withdrawn. Negro who seemed to be doing excellent work for MBTA was fired. Federal employee in charge of employment agency exercised his pressure to get this man fired.--- further investigation were made into the Floyd case to ascertain whether there is a cause of action against the city. The vital question is whether we can prove that the loss of the client's baby was caused by negligence of police. Hingeson testimony of the Doctor who treated her.---Informed representative of Labor Dept., Mr. Ransom, of complaints of discrimination in the employment offices.

b) Panama City---Investigated reports of segregated beach facilities. While there, spoke with local Negro and white leaders concerning the whole situation in that clyt. Wrote a lengthy report for LSCRRC (two law students did investigating) and advised Quincy CORE about the situation. Sent representatives to the beach demonstration decided upon. All were admitted.

c) St. Augustine---Investigated purported suicide in county jail by Negro inmate. Facts seem to indicate that foul play was involved and that subsequent investigations by local officials are attempts to whitewash what really happened. ---Observed beach demonstrations and took affadavits from those who were attacked or harassed.--- Worked on possible suit against County Police. This injunctionsuit has been temporarily postponed until future problems crop up.---Prepared and filed Motion for Removal in case in which a SCLC Tutorial Project head was accused of public profanity---Took affadavits on attack upon group of Negroes inlocal movie theatre.---Met with Governor on problems in the city.---Met with representatives of Community Relations Service and aided them in drawing up a report which stated in essence that the white power structure is not willing to even discuss the problems with their group, let alone meet with Negro leaders. They concluded that the Community Relations Service can do more and that Federal aid should be given to the Negroes in whatever ways remain available.

July 12, 1965

John Due, Esq.
CORE SEDF
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

I have read over all the material you sent which came a few moments ago with regard to Mr. Lindsey Reed. In your memo you state that Mr. Reed believes that the local FHA committee turned him down because he thought either the committee or friends of the committee had an interest in the proceedings. I read over the copy of the letter of June 25, from the Farmers' Home Administration which says there is nothing to this, but of course in their letter they do not state how their investigation was conducted except to indicate that an interrogation of the committee showed no interest in Mr. Reed's property. This is a very difficult question to answer because if it is simply a matter of a man unable to pay his bills as they fall due, which is the position apparently taken by the FHA, sad as it may be it is not a problem for CORE. On the other hand, if he is really being taken advantage of because he is a Negro and the loan is not being made to him because he is a Negro then obviously, it is of concern to us and we should try to help.

One way, since you have a short deadline, to help might be to remove the case to the federal court on the grounds that he is being denied equal protection of

Cont'd.....

the law in that a loan which would be made to white people under similar circumstances is not being made to him because he is a Negro. Furthermore, the privilege and immunity of American citizenship, namely the right to obtain loans under the FHA rules is being denied to him because he is a Negro. If you have any proof that the plaintiff in the foreclosure proceeding is in conspiracy with any members of the FHA local committee, obviously this should be alleged also.

I have great doubts about whether an action against the FHA in Washington would have any chance to succeed, certainly not without fairly strong proof that he is being discriminated against and that the committee and the plaintiff in the foreclosure proceedings are, in effect, conspiring to get his land. I would like to begin an action such as you describe in Washington but I would not undertake it until I was able to assure any attorney in Washington who handled it for us that the facts were reasonably clear.

With best regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: Marvin Rich

July 12, 1965

John Due, Esq.
CORE SEDF
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

We are preparing the Tallahassee brief and it will be ready soon. We expect you, according to our telephone agreement, to notice the motion for preliminary injunction for argument.

We also expect that with the notice of motion supporting affidavits will be submitted presenting in detail facts on the

(1) process of negotiations leading to the denial of access and the closing on July 4, 1964.
(2) details of exactly what happened on July 4,
(3) details of events since then concerning the demand to open and the city's responses including responses to any subsequent demands.

Information and affidavits are also necessary concerning the fiscal year of the city and what it did with the balance of the funds dedicated to maintenance of the pools not used after July 4. (Such information is needed in anticipation of an argument that funds aren't appropriated for this fiscal year. Therefore, we want to know what was done with last year's funds.

Sincerely,

CARL RACHLIN
General Counsel

CR/os

July 12, 1965

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau Street
New York 38, New York

Dear Marvin,

The distinction between JDD trust account and CORE-SEDF is, JDD trust account was set up in lieu of the CORE-SEDF; as soon as we received the necessary verification from New York, needed by the bank, the monies in the JDD trust account were withdrawn and deposited in the CORE-SEDF account (check #0127, $106.14 April 21, and counter check $.28 May 10).

The personal loan from Lewis State Bank was "personal" only in as much as I obtained it in my own name rather than in the name of SEDF-but on behalf of SEDF, as I could not use SEDF name until the letter of authorization was received. The loan was in the amount of $100.00, interest subtracted from the principal left $96.85, this was deposited in the JDD trust account (see above explaination of account), and was used on behalf of SEDF, for travel, ffood, office supplies. Note: this transaction took place on March 2, the first monies received from SEDF was $323.00, expense advance on March 25. Having received neither salary or operating expense money, I felt such a transaction was necessary if I was to function in my capacity as Florida Counsel.

Check #128 does not say "automobile expense" it says rather trip to Gainesville, this travel expense has already been reimbursed by you as part of the $450.00 received here on June 15.

Check #129 was not to Le Faucette, it was to reimburse petty cash-Le Faucette was paid $30 from petty cash as a salary advance on April 21, not on May 10-the receipts which justify check #129 "petty cash reimbursement" will verify this. Regarding the $35.27 for automobile expense I am afraid I do not know what you are referring to, could you be more specific? Further, until last month I had not, as you said received monthly automobile expenses, the first such expense money per se was received on June 15.

Check #135. Reimbursement was covered by June 15 check as above.

Check #144, as explained above, is not a personal expense, but rather was the repayment of the initial operating loan taken in my name on behalf of SEDF.

On March 29, Le Faucette deposited $40.00 (see deposit slip), out of her pocket, into the JDD trust account, this money was spent for incidental office supplies (receipts have already been forwarded to N. Y.) and to cover subsequent checks written on this account. It would therefore be impossible to break down which checks or what portion of the checks were covered from her out of pocket deposit or mine.

Check #121, Woolworth was for two ledger books in which to keep bookeeping records. (the receipts were so noted and have already been forewarded).

Check #125 to Mrs. Due was not a personal expense. It was a reimbursement for $100.00 from my salary check which I deposited in the JDD trust account on April 2. (see deposit slip). Again this money was spent to cover subsequent checks written on behalf of SEDF.

Check #127, Lewis State Bank. There is nothing to be reimbursed for here; I was merely taking SEDF money out of JDD trust account and transfering it to its rightful place, the SEDF account. This could only be done after the belated letter of authorization from you Marvin.

Check #129, Patricia Due $24.15. A detailed report by Mrs. Due was included with my weekly report of April 24. She went to Miami in my stead, to acquaint Miami CORE and other civil rights organizations with my presence and function as Florida Counsel, to make contacts and obtain information which helped me familarize myself with the southern part of the state to which I have been assigned, and to study the Dade County OEO CAP and Dade County desegragation problems.

Check #130, April 29. Similar to the Le Faucette reimbursement above, on March 29, I deposited $20.00 (see deposit slip) out of my pocket, into the JDD trust account, at other times I paid various incidental office expenses. This money can only be accounted for as above, being mixed with general funds used in behalf of SEDF.

Regarding Althea Mitchell. Miss Mitchell was employed temporarly on a week to week basis, not to replace Le Faucette, but rather to assist Le Faucette, who had been working often 18 to 20 hours a day. Neither Althea or Le are professional typists-and no one will work for less than $60.00 per week, 12 hours a day. Bear in mind also that Carl had given me permission prior to assuming the position, in New Orleans, to hire a secretary at $50.00 per week. At the particular time we were trying to meet deadlines for preparing incorporation papers and complaints such as the swimming pool case.

General remarks:

Let it suffice to say that my responsibility to the capacity as SEDF Florida Counsel was handicapped by the fact that personally I opened and operated this office a whole month for you without any funds. It therefore seems unfair for your office to condem my financial operations without your sharing any of the responsibility. Not only have I received no "financial support", I have received no "moral support" either. But this is of no moment; I came to Florida only because of CORE and staff;and I receive my sense of accomplishment from the people here with whom we help, which is what this is all about-is it not? Since you have forewarded no "petty cash" as you have promised-I presume that it is now your responsibility to see "that the funds of the organization are handled properly".

If there is concern by the auditor, shared by you, about my use of my presence here for "personal clients", I invite you, Carl, and the auditors to see for yourself the "personal income" received from these clients. I hope you and Carl both realize that I assumed this position at a great personal sacrifice, even being offered a position as Syracuse as late as June 15. As I have told others, I have a personal commitment to CORE I have felt your lack of confidence and support, as I have said before, which is quite alright, as long as I feel I am needed here. But I too hope we can, in the future work together.

Yours truly,

John D. Due, Jr.

JDD/lf

cc: Carl Rachlin

W.T. EDWARDS SANITARIUM MEETING

W.T. Edwards State Sanitarium

July 13, 1965

PRESENT

Dr. L.C. Manning, Director, W.T. Edwards Florida State Sanitarium

Spiver Gordon, Florida Field Secretary, CORE

Edward Hollander, Director, Southern Public Relations, CORE

William Bradley, National Treasurer, CORE

John D. Due, Jr., Florida Counsel, CORE Scholarship, Education and Defense Fund

The meeting was held at the request of CORE to discuss segregation at the Sanitarium.

The CORE officials had expressed their concern about the plans formulated at the Sanitarium to insure compliance with the 1964 Civil Rights Act. They informed Dr. Manning that there had been complaints concerning segregated facilities for patients, employees, and other professional staff members.

Dr. Manning answered that the Sanitarium does not receive any federal funds (such as those under the Hill-Burton Act). When asked about county supported patients (welfare recipients, etc.), he indicated that they were supported by a separate program which might or might not have federal assistance; he insisted, however, that the Sanitarium receives no direcr federal funds at all.

Dr. Manning then indicated that the Board of Directors of the Sanitarium had recently met and resolved to comply with the terms of the Civil Rights Act. He said that present plans include integrating restaurant facilities for employees. To this end he stated that he intended to meet with his deporment heads to discuss integration of the "floors" or areas in which employees sit when eating. Moreover, he said that water fountains and restroom facilities have already long been integrated. He noted that the "white" and "colored" signs had already been removed. When it was mentioned that there were signs at the Chatahoochee Hospital indicating that anyone might sit anyplace he chose, Dr. Manning agreed that there should be some affirmative action of this kind.

In discussing discriminatory employment practices, Dr. Manning first contended that there are more Negro employees than white at the Sanitarium, and that there there are no Negro doctors because no Negroes have applied. He said that there were a number of Negro nurses, but admitted that they serve Negro floors of wards. Dr. Manning defended the separation of wards on what he considered "medical" grounds. He felt that, were there racial mixing in the wards, white patients would leave the hospital and would be a health hazard to the community. He indicated, however, that a gradual integration of wards is intended beginning with the Admission Ward.

The discussion then turned back to employment practices. In answer to several questions, Dr. Manning admitted that hiring is done on the basis of custom and tradition(Negroes for Negro jobs--janitors and cooks). He further admitted that such hiring practices will probably not change. He also contended, however, that "qualifications" and an "objective test" were the determinative factors in hiring. This contention was not fully explained. He did indicated that employees are often procured by the personnel department through the United States Employment Office.

In emphasizing his fears that fifty per cent of the white patients would leave if the wards were desegregated, Dr. Manning said that he had applied to the Governor's office for advice or "guide lines" relating to desegregation. He was told by that office only that there is no "policy" about desegregation. He said, finally, that he had attempted to keep informed about other state institutions which are desegregating , such as the hospital in Tampa.

July 14, 1965

Mr. John Due
540 1/2 West Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed please find two checks as follows:

Check in amount of $212.34 - represents your salary for period ending July 16

Check in amount of $40.98 - representing salary of LeAnn Faucette for period ending July 16.

Sincerely,

Hope Maynard
Secretary to Mr. Rich

/hm
Enclosures

July 14, 1965

Mr. S. Tanner Stafford
1000 Tanner Drive
Tallahassee, Florida

Dear Mr. Stafford:

Enclosed is a check in the amount of $80 representing July rent of our office at 540 1/2 West Brevard Street, Tallahassee.

We will send checks for the same amount monthly, on or about the first of each month.

Sincerely,

Hope Maynard
Secretary to Mr. Marvin Rich

/hm
Enclosure

cc: Mr. John Due

July 14, 1965

Mr. S. Tanner Stafford
1000 Tanner Drive
Tallahassee, Florida

Dear Mr. Stafford:

Enclosed is a check in the amount of $80 representing July rent of John Due's office at 540 1/2 West Brevard Street, Tallahassee.

We will send checks for the same amount monthly, on or about the first of each month.

Sincerely,

Hope Maynard
Secretary to Mr. Marvin Rich

/hm
Enclosure

cc: Mr. John D. Due

July 16, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Thanks so much for the report dated July 3. It was really quite good and gave me better understanding of what you are doing. I think it can be very useful in a number of areas.

Have you asked the state, county and municipal employees about organizing the employees of Florida State University. This will probably be more difficult than the Chattahoochee Hospital case since the FSU employees are an interracial group. Please keep me informed of this since a number of friends will be interested. The paragraph on migrant workers just was not clear to me. What was Sidney trying to do. What had the state employment office agree that they would do, and how have the local employment offices failed to keep their end of the bargain. A little more detail would be helpful on this one.

I also note in your memo to Carl on the Linsey Reed case that the mathematics does not add up. Ten percent interest on $6,500 does not come to $1,300 a year. It comes to $650 per year. Please correct this before it shows up in a formal petition or pleading.

I notice that in your letter to Roy Wilkins you indicate that the SEDF legal program is to terminate in February of 1966. This is not the case so far as I know. We have established an annual budget but this is for bookkeeping purposes and is not intended to imply that the project has only a one-year life. We do, of course, intend to periodically evaluate the program as well as its cost, but it is not our intention to terminate the program in February, 1966. Further, even if this had been the case, I question the propriety of your informing Roy Wilkins of that fact. Have you had a reply from him or from Robert Carter with regard to your letter of June 24.

Sincerely yours,

Marvin Rich

MR:hm

cc: Carl Rachlin, Esq.

July 19, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am glad the John Due Trust Account is now closed and this area of confusion is limited.

We received on Thursday, July 15, a bill from you covering utilities owed the City of Tallahassee for $8.75. We paid this bill on Monday ~~Friday~~, July ~~16~~ 19 In this morning's mail, we received a second notice that services was subject to discontinuance if not paid by the 15. I assume that services was not, in fact, discontinued. However, I would suggest that you formally put the City of Tallahassee and the phone company on notice of the fact that you are an attorney. That services provided by them are necessary to the proper functioning of your office, that discontinuing of service without adequate personal notice and attempts to secure payment would work a hardship upon you and be illegal, and that, therefore, you would sue if services is, in fact, discontinued. We will pay these bills as quickly as we can, but we cannot see that money is received in Tallahassee on the very day we receive a bill.

I do not want to comment further on your letter of July 12 now. Some of this must wait for the auditor.

Sincerely,

Marvin Rich

MR:hm

NAACP and Gye Long, NAACP Program Director, who interviewed Arthur J. Dosier, Director of the Division of Child Training at the school.

Reporter: John D. Due Esq., Florida counsel, CORE-SEDF.

Description of the School:

The school is a minimum security institution containing 850 students, 46% of whom are Negro. The average length of time spent at the institution is 10-11 months, and is approximately the same for Negroes as for whites. The boys are housed in cottages containing from 30-40 inmates and two "house fathers" (this ratio of inmates to "house fathers" is the highest in the state). Percentages of returnees: Negroes 15.7% (unusually high this year --19%), whites 35-40%(I couldn't tell whether that figure was for this or for some other institution of the same kind). There is some evidence that the school is receiving "surplus commodities" or using "surplus land." This could mean anything!

Treatment of the Inmates:

When they are admitted, the boys are separated by race and sent to different areas to be "classified." The Negroes are sent to a "north campus" and the whites to a "south campus." They are housed in these campuses on a completely segregated basis. "Classification" is the process by which the boys' future vocational training is decided.

Training:

Dosier described the training offered as "exploratory" and not, strictly speaking, vocational. He said that the emphasis is necessarily upon "teaching them to be concerned about something rather than giving them a craft." The need for this type of emphasis he attributed to the high rate of "turnover" at the school and the relatively short stay of any individual.

Facilities:

Dosier claimed that most of the facilities, although located on the south campus, are open to all of the boys equally. He said that the "food service, industrial lots, laundry, dry cleaning, embalming, sheet metal shop, art shop, and machine shops (including carpentry and masonry)" are open to all, and that only the "auto mechanics" and "electronics" areas are open to whites but not Negroes. He admitted that the emphasis for Negroes is on farming.

> The NAACP and CORE workers' research put some of these statements in doubt. They found that Negroes have an extra "training" facility called "food processing." This type of training seemed to involve butchering, putting up vegetables, washing the dishes, and doing the other kitchen work for the institution. They also learned that most of the training facilities located on the south campus are not open to Negroes. Moreover, the farm work is done entirely by Negroes, although most of them are from large, metropolitan areas. The CORE workers also found that the Negroes are given the most unpleasant jobs whenever possible. They are forced to get up at 3 a.m. to milk the cows, while the whites are allowed to sleep until 7:30. Dosier denied these things when confronted with the CORE workers' findings.

Infirmary:

> The infirmary too was admitted to be segregated. Dosier said that steps were being taken to rectify this problem (eliminating one of the separate sets of facilities at the school), but the CORE workers learned that there are separate

wards in which the Negroes and whites are kept separate still.

Recreational Facilities:

Dosier avoided answering the question put to him about recreational facilities at the school. It was noted, however, that in most other schools the Negroes and whites are required to use the facilities at different times.

Beatings:

The CORE workers learned from Miss Sappo (see below) that there has been at least one beating of a Negro boy at the school. This is said to have happened last October. Miss Sappo has said that she will be willing to testify as to the conditions at the school.

Employees:

Dosier said that he does not have the power to affect hiring practices, and Mr. Walker, the superintendant of the school, also claimed to be unable to change policies, but admitted that he could make recommendations to the "Board of Commissioners." Regarding employment practices at the school, the Legal Defense Fund has a suit pending before the 5th Circuit Court of Appeals in New Orleans.

There is only one Negro in a position of any importance at the hospital, a Mr. Johnson. He is the only social worker for the 365 Negro boys on the north campus. There were reported to be four social workers, all white, for the white boys. Dosier held up the hiring of Johnson (three months ago) as exemplifying the first steps toward integration. Of course the supervisers, etc., are all white.

Housing for staff members is segregated. Although the State no longer furnishes housing, the staff still lives primarily in housing that was originally built by the State. There was some vague discussion about the fact that there are some vacancies in the newer housing on the white side of the school, and that Negroes are not allowed to take these vacant apartments.

Dosier also mentioned that he is looking for a man to work in the hospital at night....preferably someone with experience in the Army Medical Corps. A Seargent Parker told the CORE workers that he had applied for that job and had been told that his application is just "pending." Seargent Parker has very good recommendations (including one from the county school superintendant) and has twenty years experience in the Army Medical Corps. Since he has applied, a white foreman has been hired who has no experience whatsoever.

Infirmary.

When there were separate infirmaries, there were two Negro nurse's aids working at the colored infirmary. Since the facilities have been merged, Dosier said that they have not been needed and their jobs abolished. One of these women, Mrs. Sappo, resigned to take another job in New York. The other, a Mrs. Baker or Bacon, was fired around the first of June. Dosier said that they had to leave because the jobs created by the merged facilities required "more qualifications." The CORE workers were able to learn that the whites hired to replace Mrs . Sappo and Mrs. Baker had no experience whatsoever. Also one of the doctors at the school admitted privately that Mrs. Baker was fired for "racial" reasons. Mr. Walker claimed that no qualified Negroes have applied for positions at the infirmary; but a Negro Registered Nurse applied in February, and her application is still "pending."

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
JUL 30 1965
CORE SEDF

July 27, 1965

Mr. Marvin Rich
Executive Director CORE-SEDF
150 Nassau Street Room 1312
New York 38, New York

Dear Marvin,

In order to file an appeal in City of Madison v David Dukes, a CORE task force worker arrested while leading a demonstration in the city of Madison, I will need $12.00.

Thank you.

Yours truly,

John D Due Jr / lf

John D. Due, Jr.

JDD/lf

to whom pay?
asked August —
awaiting reply.

[1965, July 29]

Circa July 1965

Community Action

These remarks ar8 directed towards one concern, the development of community groups to implement the 1964 Economic Opportunities Law. Look at my unpublished article "The Experiment".

The following, are seven areas which are being organized or which shall be immediately organized pursuant to he 1964 Economic Opportunity Law. 1. Gadsden (Quincy), 2. Jackson-Calhoun-Liberty- multi-county units, 3. Leon County, 4. Jefferson-Madison- Taylor County unit, 5. St. Johns County (St. Augustine) Florida, Flanders-Putman, multi county unit 6. Hamilton-Suwannee-Columbia multi county unit, 7. Alachaua county units.

Gadsden County (Quincy)..We have been in the ironic position of helping the "Gadsden Community Action Inc." organize to the extent wherein they have even included Negroes, yet on the other hand we had to send a protest to Washington, D. C. in March indicating the lack of substantial numbers of persons of the poverty-stricken group. The result of the protest has been the investigation by Washington..who demanded inclusion of poverty people and at the recent meeting, the Gadsden Community Action Inc. did include seven additional members, but these members being chosen by the Department of Welfare and the Board of Directors. Meanwhile the Civic Interest Group, (CIG) the group which pat formed in furtherance of the ~~1964 Economic Opportunity Law~~ and the 1964 VEP Big-Bend Voter Education Campaign, had now been incorporated by our office pursuant to the 1964 Economic Opportunity Law. We are also involved in a process of affiliating other local neighborhood area groups to the CIG. Soon this agency shall be developed in order to file for tax w exemption and to apply for a program grant.

The second area; Jackson Calhoun-Liberty County Areas. Liberty County area. Liberty County is the first county of this multi-jcounty unit which we have incorporated, however because Liberty County was so small, we ~~hakx~~ have indicated in prior communications that it had to be adjoined to two adjoining counties. The Governor's coordinating office advised us that it is best to incorporate the smaller counties and then each county unit send representatives in order to organize a multi-county unit. The problem was that we had no CORE workers in the two adjoining counties, Jackson County and Calhoun County. But with the new summer volunteers, CORE workers have gone into Jackson County which is a county of 36,000 populatian, 35% Negro.

Because the Community Action Guide requires that one has to make a truly good faith effort to include all the elements (officials and Welfare agencies) of the community, we have delayed until Monday, August 1, to add those persons, and to sign the articles of incorporation.

x We are having a meeting also in Calhoun County, inviting the public and all groups as pursuant to the Community Action Guide and therefore will have an election of officers August 4, of the Community Action Agency.

Leon County (Tallahassee) In Leon County there was the Tallahassee Resource Council which includes all the welfare agencies, one official , local official, and representatives from both universities and a vice-president of the NAACP. However, we were still concerned about the fact that they did not involve persons of the poverty group on their board of directors. We therefore had a program inviting the representatives of the Tallahassee Resources in March (See the attached Msa ch program). Their representative indicated that they realize the necessity to involve civil rights and poverty popple. They did state, however, that need to involve the government officials or their sponsorship. Therefore, they decided to get the sponsorship of the official bodies first and then later involve poverty people. What happened is that the city and the county bodies in July formed a separate competing Community Action Agency. Washington then urged that these two groups mergs. But the two top officials of the Tallahassee Resource Council (white president and Negro vice-president) have now taken jobs in the Anti-poverty Program. We are therefore having the program August 1. The purpose of the meeting is to discuss what has ahappened in Tallahassee and hopefully to form a new separate organization, specially involving the poverty stricken.

The Jefferson-Madison-Taylor County unit. We formed a corporation in Taylor County in order to run a HEADSTAART Program. The HEADSTART Program was refected by Washington on the grouns that we had no "sponsor" which had a prior concern with poverty. Lack of assistance in June as I had trials, prevented me from really follow through on Taylor County. CORE has workers in Jefferson

County and Madison County and after we are able to withdraw from the western part of the area of CORE's project (about the middle of August)l, we will invade the eastern part and procede to organize these counties into multi-county agencies. The only thing we have done regarding Madison County is to send a protest to Washington regarding proceedure of officials in organizing the program. Also regarding Jefferson County, we sent a protest to them for not involving Negroes in their Board. All three counties had each of their programs rejected because of not constituting a large enough base so they are in the process of organizing a multi-county unit. Therefore, it is very important that representative Negroes and in general poverty stricken be involved and if necessary, to organize their won separate organization and contend for these funds themselves, if they are not included in the organization of the other.

St. John's County. Tuesday night August 2, I shall be in St. Augustine regarding two cases and doing a speech to which the public has been invited. The outcome to this meeting is to hopefully from a temporary steering committee which shall order a second meeting where in officers will be temporarily elected to be the incorporators of a Community Action Agency under the 1964 Economic Opportunity Act. My being asked to speak at this meeting resulted from Dr. Hayling asking me to be with him and the other members of his SCLC affiliates when they had a converence with Governor Burns. (The purpose of the meeting was to discuss lack of police enforcement in St. Aug) Although this area at the present time is out of CORE's present program, Spiver Gordon does plan to go with me to St. Augustine at Carl's request. He and Schwarzschild were in St. Augustine this past week-end. I believe that our presence there will both benefit CORE and the St. Augustine movement. At the present time, SCLC has not full-time staff people there. It is my opinion that a Community Action Agency can be organized for the purpose of a test project , therefore with 100% financing in order to try to develop the mutual involvement of both militant Negroes and the very hostil poor whites. Or the Agency can be organized on a multi-county unit involving the adjoining counties Flagler and Putnam sincd St. Jons is too small. Hamilton-Suwannee-Columbia a multi-county unit also in this areas

CORE has no present program in this area. They did however in 1964. We have been involved however, in the school desegregation problem in Live Oaks, SuwanneeCounty. There is a James Jenkins in Columbia County who is a very militant NAACP worker and has been working for the NAACP in the area (is presently on vacation from teaching). He is trying to organize these three communities. I shall remain in contact with him and therefore will assist him to organize the Community Action Agency involving these three counties.

Alachua County (Gainesville) is a 50,000 population county and is the only near county which has a viable CORE chapter including program. Although the local leaders are quite critical of the fact that the local community action Agency has only uncle Tom Negroes and no poverty people, the civil rights movement there is split among five factions ;including a CORE faction. I have received many telephone calls to be involved down there and we have about two cases and tow other problems such as school consolidation and discrimination in the Manpower Retraining Program. During the week I have two LCDC lawyers here in one week, one shall be assigned to complete most of the work for these other problems. Also if this is approved by both Marvin Rich as far as expenses are concerned and by SpivercGordon as fer as the program is concerned, I shall send Patricia (after she graduates August 7th) , into Gainesville to attempt to do the following: 1) to unite all the factions in Gainesville toghther so that they will not be fighting each other 2) to assist the development of the local CORE program 3) to initiate and to organize the Community Action Agency under the 1964 Economic Opportunity Act.

In summary, the work of Community Action which I am doing is work which should be done full time rather than taking one third of my time. Therefore I believe that it is absolutely necessary that another person be added to my staff. This person should have a legal background or should have some knowlege of the law. In other words, he should be able to read government rules and regulations and be able to interpret them in a maning full program. Also I believe it is absolutely necessary that you all make a policy decision as to whether or not you want to sponsor these community action agencies which we are developing.

These agencies which we are developing in themselves would not be a ble to receive federal grants on the grounds that they have "no prior concern with poverty". This means that before November 2, 1964 they did not exist. I just recently realized an alternative (and I believe that I was an expert) and that is that churches are politically oriented in the wrong direction and will resilt in smothering the development of the people from the poverty community. Aslo, I suggest that service agencies and local government groups and officials are not going to participate or sponsor the work with the community action agencies which we as CORE are developing. Therefore this means that we must assume the responsibility to assist these agencies we are forming and advise them in the development of programs. I, therefore, believe that it is absolutely necessary that CORE-SEDF begin to think about applying for a federal grant in order to assist these Community Action Agencies throughout Florida....but with them and not for them. If none of these things are done, gentlemen, we shall therefore be guilty of the worst community action crime...that of arousing the expectation of these deprived and underpriveleged people. Promise them the moon and not follow it through. We can follow through if you want to.

Conference between Carl Rachlin, Spiver Gordon and John Due   July 29, 1965

Thursday, July 29 was set aside for my discussion with Carl Rachlin relating to the CORE Scholarship, Education and Defense Fund legal program. We were very sorry for the absense of Marvin Rich, who is still sick from his illness and so hope he will be able to come to North Florida to study our program. In general, it was indicated that Carl in the future will spend more time with his program in Florida. It has been found that he can take an evening flight out of New Orleans and arrive in Tallahassee at 11:15 p. m. at night and then leave early the next morning for New York and therefore just miss a half a day. If he left directly from New Orleans at night to New York.

For our days' discussion, we decided upon the following agenda: 1. Books, 2. Budget and Administrative needs, 3. Docket of all my cases, 4. Relation with other organizations, 5. Scope and prospectus for our program.

Regarding text books, after a preliminary survey of our office; Carl saw that the only legal books we had were the 1963 Florida Statutes, Black's Law Dictionary, and some helpful but inadequate Legal Defense Fund NAACP Civil Rights Handbooks. We therefore determined that the need is as follows, Florida Statutes Annotated (Hughes), Form books relating to Florida such as Sapp's Books; and (second) we need some federal books, federal statutes, specifically Title 28; also rules of Federal Proceedure which includes forms, and thirdly, the necessity of having Vanderbuilt's Race Relations Report volums. All the above materials include supplements. It has been determined to be the absolute minimum as needs to operate a law office. Therefore one can say that in the last six months we have not been operating a law office. This problem is not qualified by our use of the Supreme Court Library and A&M Law School Library. The latter, is in the process of being closed and is in a changed administration and therefore we have not the free use of it. The Supreme Court Library also has limitations for intensive use, from hostility of the librarian, to closing at five o'clock on week days, closed all day

Saturdays and Sundays.

The second area to be discussed was the law dockets. Carl asked me to prepare names and subject matter of all the cases which we are responsible for. This docket is attached to this report.

3. Regarding the budget.

Relating to the budget, we felt the absense of Marvin Rich. John Due complained that it is his opinion that the misunderstandings relating to the budget has its genesis in the fact that he operated the office a whole month without any advanced funds from SEDF. The operation therefore was from finances by Carl Rachlin resulting from CORE Lawyers conference and the loans from Lewis State Bank, John Due personal funds, and Le Faucette personal funds which were put in the John Due Trust Fund Account for the benefit of the CORE-SEDF operation. Also, misunderstanding resulted from the fact that there were no guides, explanations forms provided for our use. ~~fh~~ operating the office.

We recognize the expediency of regular expenses to be paid by the New York office without our being concerned with them. Therefore there should be regular expenses which should be indicated for the New York office. Yet, there should be a contingency fund to pay for emergency needs such as filing fees, notices of appeals, stamps and other items. Attached to this report you will find the report relating to regular expenses of the last several months, plus an anticipated contingency fund.

At the present time our law office is composed of eight persons, as follows: one Florida counsel, myself, John Due; one LCDC lawyer, one paid secretary, Le Faucette; two volunteer secretaries; one full time (wife of one law student);

one part-time; and three LSCRRC law students. With the pending resignation of Le Faucette and at the end of the summer when the LCDC and LSCRRC epeople have gone, I shall need at the most minimum to keep going at my current work load, two secretaries and three assistants. One secretary is necessary for the opening of the office at 8:00a.m. and a second secretary is necessary for work which is needed to be done until 3 or 4 a.m. in the morning. Le Faucette intends to resign and it is absolutly necessary for me to find a person who will work until these hours in the moring. Regarding the assistants, I need persons who will carry on the type of work which is being presently done by the law students. One person to do the investigating work, one person to do the legal research, and a third person to do the Community Action work. To explain what I mean by the assistant for community action, see my third attached sheet papers relating to community action.

Relating to relationships with other organizations. Spiver Gordon was present with us during this discussion. I stated that in my work here, I indicate to the people in the community that I am here on behalf of the CORE Scholarship, Education and Defense Fund, a separate organization, but I am here to advise and assist as a primary responsibility the CORE project. I also indicate that this work involves community action, which means working and assisting all other civil rights groups and community groups in this area.

We discussed that there had been some problems. Spiver indicated how there is a difference of techniques and approach used by CORE. He indicated how the SCOPE workers demonstrated patroni ing attitude toward the Negroes in the community that they are working with, which helps develope resentment against all civil rights groups. Also he indicatedbhow they sometimes seek publicity without making an effort, such as the NAACP. I stated that although my main work here is to attempt to develope unity for action in the community, yet on the other hand I know quite well why I am down here and which side my bread is buttered on.

Regarding expenses, I idnicated that I received no response either from SCLC or NAACP regarding expenses. Therefore we assume that both groups may be sensitive to he fact of not having their own legal representation; nevertheless, I hdicated that I shall continue to represent these parties who ask for my assistance, only asking that they take care of their own expenses. It was understood, that where there are some immediate expenses that need to be made, I will go ahead and pay them or adk Marvin to pay them and then let him worry about collecting expenses form the various organizations or groups. Regarding other legal type expenses, such as filing for corporation fees, thers expenses can always be taken out of the church collection where we have our meetings.

Scope of my work

The next subject was relating to my involvement as a traditional civil rights lawyer as against my position as a community action lawyer which seems to include acting as a field secretary at times. Carl Rachlin was concerned about the problem of my being spread too thin. Yet on the other hand, he thought that this problem should be solved by adding more personnel in this office rather than decreasing my activities; in as much as what we have initiated cannot practically and for the benefit of CORE be decreased without causing ill will against CORE. For these reasons he feels that we can increase the budget for the program. As for my role as a "lawyer" the docket is included, to show the extent of how busy I am. The particular area as a civil rights lawyer, of course, is included in the attached report and previous reports. The areas, of course, are as follows: 1. defensive cases, i.e. representing civil rights workers who are arrested. 2. affirmative cases which are public facility cases, (the voter registration case which shall be filed soon i.e. upon receipt of funds) and public accomodation cases, which shall be filed within the first or second week of August, and certain potential cases. These certain potential cases are 1. a suit on behalf of James Irvin against a Manpower Development training program in Gainesville; (Helperin to discuss this August 1, with me) a suit on behalf of discrimination in employment in state institutions, including the following institutions: Chattahoochee State Hospital, the Florida Reformatory, and possibably Florida State University.

Matters which are not cases but should be included under the civil rights cases are those letters and complaints which we are sending to various federal agencies and to the Governor relating to discrimination. My role as a community action lawyer or neighborhood lawyer...includes private cases shown in my docket, Education about employment rights, unions, but also includes my work in advising and assisting communities related to CORE to organize community action associations under the 1964 Civil Rights Law, and 1964 Economic Opportunity Law, the latter subject is included in attached papers.

Summary:

This work is expanding. It also appears that it is growing more and more impossible for me to handle any private cases. This was one of the conditions on which I assumed my employment. I shall ask a law instructor to take some work related to private cases. If there is an expansion of the budget, there should, by necessity, be increased my wages and salary so as to commiserate to the type of work I am doing.

Yours truly,

John D. Due, Jr.

Florida
Legal

Route 3 Box 143
Marianna, Florida
July 30, 1965

RECEIVED

AUG 2 1965

CORE SEDF

Mr. Paul Gardner
Secretary of Health, Education and Welfare
Washington 25, D.C.

Dear Mr. Gardner:

We wish to file a complaint with you department(s) concerning discrimination and segregation at the Campbellton-Graceville Hospital located in Graceville, Florida (Jackson County).

We, a delegation of five: Mr. Gye L. Long, Mr. Sidney Daniels, Mr. Robert McElroy, Mr. Elmore Bryant, and myself, Johnny Lee Watson, visited Mr. Harry Lucas, Administrator at the above hospital, concerning alledged practices of segregation and discrimination. Our visit was a result of numerous complaints we have received from patients and employees, and our knowledge that Mr. Lucas opened the hospital on a completely segregated basis after passage of the 1964 Civil Rights Act.

We wish to register the following complaints for your investigation and rectification of these conditions:

1) Separate entrances and waiting rooms for Negroes and whites.

2) Negro patients admitted to a separate section of the hospital.

3) Negroes denied use of private rooms.

4) Separate cafeterias for Negro and white working personnell.

In pursuit of justice and equality, we strongly request an immediate investigation so that our dream of equality will more closely approach reality.

Yours for justice,

Johnny Lee Watson
Johnny Lee Watson
CORE Task Force

Sidney Daniels
Sidney Daniels
CORE Task Force

Elmore Bryant
Elmore Bryant

Gye L. Long
Gye L. Long

Robert McElroy
Robert McElroy

cc:

Honorable Vice President Hubert H. Humphrey

Mr. Marvin Rich
CORE-SEDF

Atty. John Due
Florida Legal Council, CORE-SEDF

Miss Judy Nusbaum
CORE Southern Research Dept.

Mr. Spiver W. Gordon
CORE North Florida Field Secretary

Mr. Harry Lucas, Administrator
Campbellton-Graceville Hospital

August 2, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are five replacement checks which were sent together with my letter of July 27.

We have stopped payment on the original checks. If they are found, please mark them "Void" and return them to us for our records.

Checks

No. 834, John Due, salary for period ending July 30	$212.34
No. 835, LeAnn Faucette, salary, period ending July 30	40.98
No. 836, John Due, car use, month of August 1965	150.00
No. 837, U. S. Marshal, filing fee re: Forehand vs. Hutchinson	100.00
No. 838, Clerk of the U. S. District Court, filing fee re: Forehand vs. Hutchinson	15.00

Sincerely,

Hope Maynard

/hm
Enclosures (5)

August 4, 1965

Jack Brian, Esq.
Richard, Brian & De Santi, Esqs.
69th & Market Streets
Upper Darby, Pennsylvania

RE: Tallahassee Swimming Pools

Dear Jack:

I regret not seeing you in Tallahassee, but Marvin Rich took quite sick and so I postponed my trip for one week in the hopes he would be better, but unfortunately he could not come, and so I went to Tallahassee myself.

As to the case 1) we have appealed 2) we have made the designation of the record 3) we have made a motion for emergency hearing 4) we are furnishing a new brief putting together all arguments.

By the way, the garbling over the telephone prevented you people from understanding the significance of Darlington. Prince Edward County, important as it is, is nevertheless a school case and so has attached to it the special significance of school cases. But Darlington shows the power of the court to order a reopening, where there was no specific statutory authority, of a business operation.

Mr. Wadsworth told me there was not likely to be cross argument in view of our request for an emergency hearing.

I hope to see you soon.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: John Due, Esq.
Marvin Rich

AUG 4 1965

Northern Fla.

Carl

To The President of the United States of America

Request an investigation into the harrassment and intimidation of Negroes and Civil Rights workers in Madison, Florida. On July 31, 1965 a group of whites intimidated and harrassed Negroes while they sought to use Woodard Theatre. Police stood by and did nothing. At 10:00 p.m. the same evening, David Dukes, CORE worker and two other Civil Rights workers were chased down Highway 90 at a great speed. Three white men in a 1959 pickup truck pulled up beside them and tried to force them to get off the highway. This speed for their lives lasted for 1 1/2 miles until they got into the Negro community. Police contacted, said that htere was nothing they could do, unless some one was hit. I might be pointed out that this same truck was parked across from the theatre earlier that evening. Madison has a record where white hoodlums are allowed to harrass and intimidate Civil Rights workers and Negroes.

Yours for a speedily investigation,

Spiver W. Gordon
Field Sectrary, CORE

cc Governor Haydon Burns

[1965, August 4]
Carl

TO: CARL RACHLIN NATIONAL CORE
RICHARD HALEY SOUTHERN REGIONAL CORE

President of the U. S. A. Lyndon Johnson

Strongly request a stop to the continuation of harrassment and intimidation of Negroes and Civil Rights workers in Monticello, Florida. Unless something is done and done quickly, violence is subject to errupt. In previous communications with the Justice Department, I complained of Civil Rights workers being chased by white hoodlums; of Police harrassments. July 28, 1965, 11:30 P. M. Four white men in a 1964 pickup truck followed William Dyrample, and five Negroe Citizens down highway 149 in Monticello, Florida. Two shots were fired at them as they drove into the driveway. Secondly, the home of Mr. & Mrs. Owen Hardee has been under attack by white hoodlums who drive into their drive way, blow their horns, decompose of their garbage in the yard, and hurl threats. We demand action now.

Spiver W. Gordon
Field Secretary CORE
Tallahassee, Florida

cc Gov. Haydon Burns

[1965, August 4]
Northern Fla
Report

Telegram sent to John Doar, Department of Justice,
Washington 25, D.C.

Strongly request investigation into the following: the night chase of CORE task force worker, Bill Dalrymple, by white nem in car, forcing Dalrymple to do great speed, thus creating a dangerous situation. The illegal arrest by police officials on July 23rd, 1965 at approximately 11:00 a.m. Dalrymple is charged with failure to have a Florida driver's license. The Florida statute states that one must be gainfully employed or have children in school before one needs a license. Dalyrmple has neither children, nor is he employed. He is a volunteer worker for CORE's summer project. This is clear intinidation and harrassment.

Yours for action,

Spiver Gordon
Field Secretary, CORE

cc: Val Coleman
John Due
Richard Haley
Carl Rachlin

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

Rec'd 8/10/65

August 5, 1965

Marvin Rich
CORE Scholarship,
Education and Defense Fund
150 Nassau Street
New York 38, New York

OK
MR

Dear Marvin,

Please send a check for $37.50 payable to Arnette Green, to cover the bond application in Steele v. Taft (swimming pool case).

The Madison County Juvenile Court is giving a separate trial to each of the juveniles in City of Madison v. David Dukes et al. Consequently, to pay the cost of appeal, we need separate $12 checks, payable to the Clerk of the Circuit Court, for each of the following: WILLIE JAMES FRAZIER, ELTON RUBIN MARSHALL, EDDIE LEE JACKSON, GEORGE NOBLE, COLUMBUS ROBINSON, BEATTY GIVENS, JR., WILLIE C. TOOKES, and DAVID DUKES.

8

Also, we need a check for $18, payable to the U. S. Marshall, for remainder of service charge in David Dukes v. Cherry Lake.

Yours truly,

John D. Due, Jr.

JDD/ skj

AUG 9 1965

Northern Fla

TO: CARL RACKLIN NATIONAL CORE
RICHARD HALEY SOUTHERN REGIONAL CORE
XXX VAL COLEMAN NATIONAL CORE
JOHN DUE LCDC IN TALLAHASSEE

FROM: SPIVER GORDON FIELD SECRETARY FOR NORTH FLORIDA

SUBJECT: TELEGRAM TO PRESIDENT OF THE UNITED STATES AND GOVERNOR OF FLORIDA

This comes as my third telegram, to date I have not gotten a reply from your office or the Governor of this state. How long must we wait for justice.

On Aug. 3, 1965 Barry Goldstein, a CORE worker, was beaten by three white men. He was knocked unconscious with a stick, and pushed over an embankment. Has a very bad headache and bruises on body. Could your failure to reply mean that youx are not concerned.

SPIVER GORDON

AUG 11 1965

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND

540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

904
Phone 222-2317

August 9, 1965

Dear Mr. Rachlin,

Okay, here's the deal. We have filed three suits which Judge Simpson in the District Court for the Middle District wishes to hear together on the 17th.

----Dukes et al. v. Madison County et al.: This is a suit to force the county to desegregate a lake which the Commissioners have leased to a "private club." The case looks like an "automatic" (where have you heard that before and how often). Simpson seems to want to hear it and dispose of it very quickly.

------Bigelow v. Pridgeon et al.: This started out as an assault and battery action against all the people who have beaten this particular SCOPE worker, but includes a prayer for injunctive relief. Simpson wants this consolidated with the McCall case below and heard on the 17th.

------McCall et al. v. Cherry et al.: This is the original action for an injunction against the City and County. Simpson wanted to consolidate and seems very anxious to give us our injunction. It too will be heard on the 17th.

Now, as to the money paid out:

DUKES CASE:

-Filing fee 15.00
-Marshall's fees for service of original papers 50.00
-Marshall's fees for service of later papers...........................   18.80
-Marshall's fees for service of subpoenae...38.60
(these papers were filed at different times and required separate filing because of the changed times of hearing, altered needs for witnesses, etc.)...(of course the fees are estimates and the payments "advances")
--Expense checks made out payable to each subpoened witness..........................88.32

~~210.72~~
210.92

(the subpoenae included demands for documents in almost every case)

i.e.
-Chairman of the Board of County Commissioners...........22.08
-Griffin Bishop, Superintendant of public instruction...22.08
-Custodian of the county's records.................22.08
-T.B. Walther, for himself and as the agent of the bad guys' corporation.............22.08

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

BIGELOW CASE:

-Filing Fee........................15.00
-Marshall's fees for service,
etc................................64.80
-Expense Checks payable to
each subpoened witness...........66.24
-Dr Bouland........22.08
-Sidney Pridgeon...22.08 146.04
-William Powell....22.08

McCALL CASE:

-Filing fee.................................15.00
-Marshall's fee............................100.00
-Expense Checks for witnesses............220.80
335.80
-Custodian of Records at the county
Hospital.............22.08
-R.H. Rowe (Municipal Ct. Judge)
.....................22.08
-City Clerk of Madison Fla.
-Dr. Callahan
-Dr. Harris
-Mrs Esther Grant
-Mrs Lucille Johnson
-Tommy Cook
-Simmy Moore
-Dr. Durant

} 22.08 each

The only unnecessary expenses were the extra service ones in the **Dukes** case and that can be blamed on overzealous but well meaning LCDC lawyers.

The grand total::::::::::::::: $692.76

Right now you are undoubtedly asking yourself how we raised the money.......well:

Larry Weisman (LCDC Lawyer) paid	50.00
	15.00
	65.00

CORE (You br Marvin Rich had sent us two checks to be used in the Gadsden County Voters' registration suit...we used them here instead

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

CORE-SEDF paid therefore.........................100.00
15.00
115.00

Ted Striggles (T.W. Striggles on checks please),
struggling, dedicated, resourceful young
law student gave his personal checks for....... 512.76
i.e.
-17 checks for 22.08......375.36
-one check for............ 38.80
-one check for............ 64.80
-one check for............ 18.80
-one check for............ 15.00
512.76

Larry Weisman also paid 30.00 to file the Bathrick case in St. Augustine.......for which he ought be reimbursed
:filing fee......15;00
Marshall's fee..15.00

WHEREFORE:

You should pay Larry Weisman 30.00 for the St. Augustine suit
and 65.00 for the Madison County suits
95.00

You should note that the 115.00 which CORE-SEDF thought to pay for the voter registration suit, has now been appropriated for these actions

------You should deposit 512.76 in the regular checking account of Theodore William Striggles at the Harvard Square Branch of the Harvard Trust Company in Cambridge Massachusetts.

Ck #896
8/19/65

Allow me to press upon you the need for....well for direct and immediate action in regard to that last reimbursement. I have, at the very most, 100.00 in my account. Should those checks arrive before you can send money, I shall be much sought after-----and not alas for my charm!!! Had there been another way to get the papers filed, I would have used it. As it is,....well you see how it is... we had to get the papers filed and Jacksonville is 3 hours away.

Yours for continued freedom (mine)

Ted Striggles

AUG 9 1965

TO: CARL RACHLIN NATIONAL CORE
JET MAGAZINE
VAL COLEMAN NATIONAL CORE
JOHN DUE LCDC ATTORNEY IN TALLAHASSEE
ED HOLLANDER PUBLIC RELATIONA SOUTHERN REGIONAL CORE

FROM: BARRY GOLDSTEIN CORE VOLUNTEER IN N. FLORIDA
HOME ADDRESS 11 Coach Lane Cherry Hill N.J.

My. Name is Barry Goldstein, I am a CORE worker in Gadsden County Florida, which is a part of that states Northwestern apendage that runs just south of the Georgia line. This Summer was the first time I have ever been in the South as a Civil Rights Worker. I have attendad Temple University in Philadelphia Pa,, and will attend the University of South Florida, in Tampa in the Fall. When I was assigned to Florida by CORE I thought that I would not meet with the violence normally associated with the Civil Rights movement. This has proved not to be true. North Florida is as rough as the rest of the south. This incident, which happened to me, is not an isolated act of violence. CORE workers have been shot at arrested and beaten in Florida. The public does not realize this, it ought to. Florida is the South. It is segregated, and the segregationists are not about to give up. My only regret is that due to finances, I am a volunteer worker who lives off of his own money, I must leave for a while.

After I had finished my work at the office, I left to go back to the Freedom House. It was around ten O'clock on Tuesfay night and the streets were empty. It was the first Tuesday in August, August 3. The streets I walked over were well lit and paved, but as one goes further into the negro district of town the light dissappear and the pavement turns into mud. It was this kind of street that I turned into in order to go back to the Freedom House. Though the moon was shining brightly, the trees that were along the side of the road made it dark to the point of blackness.

I came to a bend in the road, there were no houses on either side, only trees. All of a sudden a hand hit me in the shoulder blade and spun me around. Then a first in a yellow glove came crashing into my face. Another first from the same man, caught me in the chest and knocked the wind out of me. There were three of them, but only one of me so that I could not get away. The attacker who was a man of about 25, of medium height and a socky build. He kept on hitting me in the face and chest. At one point he picked up a stick and started slashing it across my farhead. I don't know how long it lasted, it seemed like along time, much longer than it was. Then another blow caught me in the jaw. I went flying backwards over an embankment and down a hill and into stream. I was knocked unconsious, and when I got up only my head was out the stream. How long I was unconsious I do not know, it could have been for a minutes, it could have been for only five seconds. When I got up they were gone.

I crawled over the creek, which was partly made up of a substance which seems like quicksand, and up the opposite side of the hill. I'm not really sure of what happened then. My head was spinning and I hardly knew where I was. In fact all I knew about my whereabouts was that I was in the Negro district and safe, if my attackers did not pursue me. The only thing that was going through my mind were the words of my attackers: "You dirty white nigger. You nigger loving bastard."

I got one of the people from the street I was now on to take me back to the Freedom House. There I got Wendell Brunner, the other CORE worker in Quincy , to go down to the CORE office. At the office we called the police and Spiver Gordon, the Field Secretary for CORE in the North Florida area. The police told me to come down to their office, which I did. The police listened to my account of the beating and told me that since I did not get a good look at either the attackers or their car, that little could be done.

From the police station, the man who was driving Wendell and myself, took us to the Gadsden County Hospital. At the hospital, the nurse looked me over and gave me some pills for my pain. Wendell then called Rev. Daniels to come pick us up at the hospital, becausse the man that had driven us there had had to go home. Rev. Daniels, along with Rev. Campbell, picked us up and took us back to the Freedom House. I was still dizzy and grogy as I had been all night since the beating. I took one of the pills and went to bed.

The next morning I went back to the police station. After again reviewing the facts about the beating, the Sherifff, and Cheif of Police took me to the Hospital to be e xamined by the doctor.

The beating was not as severe as it could have been, thanks to the fact that they knocked me over the embankment along the road, But I will never forget it. The extent of my injuries consisted of, a possible Concussion, a pulled tendon in my neck, welts along my farhead and above my left eye, and the shaking out of me the beleif that Florida is not as bad as parts of Mississippi, Alabama and Louisiana.

My body will be sore for a while, the body forgets.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
AUG 23 1965
CORE SEDF

August 19, 1965

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassua Street
New York, New York 10038

Dear Marvin:

This letter comes to advise you that Gwendolyn M. Hubbard has been hired to work in this office, as my full-time secretary, effective August 16, 1965, at a salary of $50.00 per week. Gwendolyn's Social Security number is 264-56-0278, married, but has no dependents, except herself.

Very truly yours,

John D Due Jr.

John D. Due, Jr.

JDD/gmh

OK

W-4 form must be signed

sent first check Aug 25, also W-4 form

August 19, 1965

Harvard Trust Company
Harvard Square Branch
Cambridge, Massachusetts

Gentlemen:

Enclosed is a check in the amount of $512.76 to be credited to the regular checking account of Theodore William Striggles.

This represents reimbursement for expenses inc
incurred by us.

Your prompt attention to this will be appreciated.

Thank you.

Sincerely,

Hope Maynard

/hm
Enclosure

cc: Mr. Theodore W. Striggles

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
AUG 30 1965
CORE SEDF

August 25, 1965

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassua Street
New York, New York 10038

Dear Marvin:

This is to inform you that I have hired Barbara L. LaCombe to work as my temporary secretary for one week, August 23-27, 1965, at a salary of $50.00.

Her social security number is 520-38-7707. She is married, but claims no dependents. Since her employment is for a short term only, please do not withhold tax.

Barbara is a former secretary of the Tallahassee chapter of CORE (1963). She is able to help us in the office this week only, owing to family obligations.

Very truly yours,

John D. Due, Jr.

JDD/bl

Pd 9/8/65
Ck #1005

August 25, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check, $212.34, covering your salary for period ending August 27
2. Check, $150, covering car use for the month of September
3. Check, $84.68, to the order of Gwendolyn M. Hubbard, covering her salary for period ending August 27.

I have also enclosed a W-4 form which Mrs. Hubbard should fill out and return to us. We need this for our records.

Sincerely,

Hope Maynard

/hm
Enclosures

P.S. The check for Mrs. Hubbard should have been $1.10 more. I deducted this amount for New York State taxes in error. I will, therefore, reimburse her for this amount in the next salary payment. Please forgive any inconvenience caused by this.

hm

August 31, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are two checks as follows:

1. Check, for $22. payable to U. S. Marshal, Jacksonville, Florida re Kearse v. Harris et al
2. Check, for $8, payable to Julian A. Blake, Clerk, re Dukes vs Madison County, Florida

Sincerely,

Hope Maynard

/hm
Enclosure (2)

August 31, 1965

Miss LeAnn Faucette
c/o Miss Glory Roberts
12949 Carl Place, Apt. 190
Pacoima, California

Dear Misw Faucette:

Enclosed is a check in the amount of $4.82 covering one day's wage for August 2, 1965. We understand from Mr. Due that your services terminated as of this date.

Sincerely,

Hope Maynard

/hm
Enclosure

North
Fla

September 1, 1965

John Due, Esq.
CORE SEDF
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

Needless to day I am seriously disappointed in the fact that for some strange reason we cannot seem to put the Tallahassee swimming pool case on the emergency calendar of the Fifth Circuit. I find this somewhat remarkable since approximately six weeks ago I dictated to Ted Striggles the form of motion and the supporting affidavit. What has happened then seems to be some kind of a comedy of errors. Since we were doing all the major work up here and have had the brief finished for weeks, I find this most distressing, particularly in light of the fact that a short while later I gave similar directions for the emergency calendar appeal of the West Feliciana Parish school desegregation case and that case has been heard by the Fifth Circuit and decided in our favor, the decision having come down almost two weeks ago. We have allowed an important principle to fritter away. When I spoke to your office slightlyoover a week ago, I hoped at that time it still could be corrected, but alas, we are stuck in the same mire. Will you please tell me what is happening? I would hardly have thought that making a motion of this simple kind could create so much difficulty, particularly since we were doing the brief up here and have what I consider to be a first-rate brief.

The above leads to the second thing which I must bring to your attention. At a recent meeting

Cont'd.....

of the SEDF Legal Committee there was considerable criticism over the nature of your docket. This was echoed in a call I received from LCDC last week, where I am told some of the LCDC lawyers objected to having to spend time on your personal matters after travelling thousands of miles to work on civil rights cases. You and I have discussed this matter several times. Obviously, if your do any personal work it has nothing to do with SEDF and should not be on an SEDF docket. More particularly, however, your personal work, under no circumstances, must interfere with your prime responsibility to SEDF and to civil rights activities. Obviously, people are going to come to you for legal assistance. We all understood this, since there is no other legal help available for many miles around. Other arrangements will have to be made to take care of these purely private matters if we want continued SEDF support. SEDF refuses absolutely to support an office where such matters as divorce cases are being handled. This is the same complaint I received from LCDC.

When we first discussed this you indicated that you thought that Bruce Rogow would be associated with you in some way so that this kind of problem would not arise. Obviously, a certain amount of legal clinic work to assist deserving people is part of our program, but SEDF will not endanger its tax exemption to maintain a program which is involved in divorce or other cases which are not truly civil rights or even assistance to people who cannot obtain assistance elsewhere. Obviously there are lots of lawyers, even in Tallahassee, who handle divorce cases, if you cannot find someone such as Bruce Rogow who you can send them to.

These matters must be straightened out. As I have said on several occasions, if you do any private legal work it is none of my business and neither I nor SEDF have any right to know anything about it, but at the same time it must not be brought to our attention through a large number of cases on your office docket or through friendly organizations such as LCDC, of the amount of work that you are doing privately.

We have not had a report from you in some time. Please tell me the status of cases you have actually started and send me copies, please.

I went out on the limb to institute the Tallahassee legal program and while I can understand the great variety of demands that are made upon your time we will have to learn how to apportion time more appropriately

Cont'd...

to make certain of the success of the program. Working with community groups, of course, is covered by our program. Bringing affirmative actions or defending persons arrested, obviously are covered. If you find time left over what you do then is your own business but it must not be a stumbling block to SEDF program or that of any related organization. I should like to hear from you on these matters promptly. I have spoken in this manner because I am, as you very wellknow, anxious to have a tremendous success in Tallahassee.

Sincerely,

CR/cs

CARL RACHLIN
General Counsel

cc: Marvin Rich

September 2, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

We have received your recent letter and reports, and we have carefully considered your request for an expanded budget to go along with your rapidly expanding activities. Unfortunately, our budget is limited until additional funds can be raised, so we cannot expand your budget at this time.

I have reviewed your docket report with our legal committee and especially with John Allison of our Board of Directors and with Carl, and we have reached some conclusions about the scope of your activities. In the first place, we know that you are working hard and doing a good job. But your time is limited, and therefore you must be selective in the matters you handle. The cases you can properly handle are limited both by our corporate charter and by the terms of our tax exemption. We know that you are the only Negro lawyer for 150 miles, but until we have enough money to expand your activities, we think that your health, our best interests, and the civil rights movement will all be better served if you limit your activities along the following lines:

(1) Do not handle civil matters unless they clearly involve civil rights, i.e., substantial constitutional problems. Be particularly careful not to handle civil matters where the client has enough money to obtain paid counsel.

- continued -

(2) Screen out as many minor criminal matters as you can. Try to limit yourself to criminal cases involving substantial constitutional questions. You simply can't afford to handle every criminal case that involves a poor Negro. (Persons prosecuted because of civil rights activity are a different matter. Their cases should always be handled.) We will later attempt to expand your legal aid activities on a separate basis (perhaps with OEO funds). For the present, we must limit ourselves to major cases, even though this may be a disappointment to some who have come to rely on us.

I was very pleased with the thoroughness of your last report. It was most helpful. Please keep them coming. We are not now able to provide additional staff but I will explore ways of securing additional assistance for you.

Cordially,

Marv Rich

MR:hm

cc: Mr. John P. Allison
Rev. Robert F. Drinan, S. J.
Mr. William Ellis
Mr. Clarence B. Jones
Mr. Andrew E. Norman
Mr. Carl Rachlin
Mr. Rowland Watts

September 8, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahasse, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Your salary for period ending Sept. 10, in amount of $212134

2. Gwendolyn M. Hubbard-salary payment for
   period ending September 10 $85.78
   plus reimbursement of
   taxes withheld in error 1.10
   $86.88

3. Check in amount of $50 to the order of Barbara L. LaCombe. Since taxes must be withheld on all salaries, we have treated this payment as a fee for services rendered. Mrs. LaCombe will have to report this on her tax return as such.

Sincerely,

Hope Maynard

/hm
Enclosures

John Due

September 8, 1965

Governor Haydon Burns
Governor's Office
Capitol Building
Tallahassee, Florida

Attention: Vernon Sikes

Honorable Sir:

On behalf of Negro parents and citizens of Liberty County, Mrs. Alice Solomon, Mrs. Queen Solomon, and Mrs. Rosalie Dawson, and others, I am writing you and your office seeking your intervention and assistance to terminate and remedy the effect of discrimination as shown in their attached petition.

Mrs. Alice Solomon, Mrs. Queen Solomon, and Mrs. Rosalie Dawson, would appreciate conferring with your representatives of the Attorney General's Technical Assistance Program, and representatives of the Superindentent of Public Instruction of the State of Florida, regarding their petition, Friday afternoon, September 10, 1965. Unfortunately, this is the only time they can confer with you because of their work schedules.

Since the citizens that you and I are representing are laymen, it is my opinion that if we hold a conference as they request, Friday, that we should not discuss in their presence, legal juridiction, legal authority and other legal problems; I will be willing to confer with you these legal questions any other time.

Thank you very much for anything that you might be able to do on their behalf.

Youre truly,

John D. Due, Jr.
Florida Counsel for
CORE - SEDF

JDDjr/gmh
cc: Dr James T. Campbell
Mr. Donald R. Allen
Mr. Lenwood Arnold
Mr. O. B. Shuler

Mr. Romeo Wiggins
Mr. Carl Rachlin
Mr. Marvin Rich

September 9, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I received a phone bill from your office for $569.69. To say the least, I am shocked. I am enclosing a list of out-of-state calls.

I have checked those (the great majority of them) which do not seem to me to be justified.

We cannot pay long distance phone charges all over the country. Your bill is far greater than that of any other office of SEDF or of CORE anywhere in the country. I would like a report from you on these calls, and, further, an indication that the long distance phone will be used only for SEDF business.

Further, after September 13, you will no longer be able to accept collect calls. Last month collect calls totaled $112.80. There is no reason why those who are calling you cannot pay the cost of the calls. You exist to provide them with a service. If the information means so little to them that they cannot pay for the phone call, then the purpose of the call is not worth our paying for it either. In any case, you should no longer accept collect calls.

You should also severely limit the number of calls you place. Even after substracting the out-of-state calls ($103.85 plus tax), and the collect calls ($112.80 plus tax), your bill still comes to over $350. This is completely unnecessary. If the bill is not substantially reduced by next month, we will have to take your phone out and establish a pay phone in your office. It would seem to me that such a procedure should be avoided if possible. But you are the only one that can avoid it by making a real effort to use the long distance phone only when absolutely necessary.

Sincerely,

MR:hm Marvin Rich

P.S. - All phone calls from you to Federal agencies should be made collect. They will accept the calls and they have more money than SEDF.

cc: William Ellis, Esq.
Carl Rachlin, Esq.

(Out-of-State Calls)

Telephone bill of John Due

Date	Code	Description	Amount
7/30	4D	New York - 212-964-8210	$ 2.25
7/22	4D	Atlanta, Ga. 404 526-6901	1.30
7/22	Telegram	Austin, Texas	1.75
8/5	4S	Cambridge, Mass. 617-547120	4.85
8/8	2	Eutow, Ala.	2.65
8/10	4D	Jackson, Miss. 601-352-8243	2.55
8/11	4D	Beverly Hls, Calif. 213--276-2251	4.80
8/11	4D	Atlanta, Ga. 404 - 688-1994	2.80
8/13	1D	New Orleans, La. 504 - 523-5197	1.05
8/16	4D	Jackson, Miss. 601 - 948-4191	4.05
8/16	1D	New Orleans, La. 504 - 523-5197	1.65
8/19	4D	Jackson, Miss. 601 - 948-4191	2.25
8/19	2	White Plains, N. Y.	7.75
8/19	2	Viney H, Mass.	2.90
/21	2D	Jackson, Miss.	7.95
/26	1D	Atlanta, Ga. 404-522-3697	.85
/27		Atlanta, Ga. 522-8764	.65
/28		New Orleans, La. 523-5197	1.85
/30	2	Atlanta, Ga.	2.10
/3		New York City WO 4-8210	3.20
/10	4D	New York City 586-8397	3.45
/10	1D	New York City 989-2522	1.45
/11	4D	New York City 964-8210	3.45
/11	1D	New Orleans, La. 504 -523-7625	1.35
/12		New York City - JU 6-8397	2.40
/12		Atlanta, Ga. 688-1994	1.80
/13	4D	New York City 267-6270	2.25
/13		Atlanta, Ga. 522-8764	2.30
/14	1N	Atlanta, Ga. 404 - 524-7247	1.25
/14		Atlanta, Ga. 284-3843	.65
/15		Baton Rouge, La. 342-8388	3.90
/15		Albany, Ga. 432-0879	1.85
/17	1D	New York City 348-7379	6.65
/19	1D	Cambridge, Mass. 617 - 876-1700	3.95
/19	1D	St. Charles, Ill. 312 - 584-4638	1.45
/20	1S	Mountainview, Calif. 415 - 967-2519	6.50
		Total ~~Total~~	$103.85

send to Carl Rachlin

OCT 6 1965

John Due

SEP 15 1965

While trying to put her statement together - she to be a plaintiff - two of that party are in jail for parole violations for subsequent non-civil rights offenses and Ann Early was terminated as of September 14.

John

September 13, 1965

David Norman, Esq.
United States Department of Justice
Washington, D. C.

Dear Mr. Norman:

I enclose herewith for action by your department a statement from one Ann Early, which shows a clear violation, in our view, of the Civil Rights Act at Clark's Motor Court, just outside of Quincy, Florida.

More importantly, however, the statement shows the failure on the part of the Deputy Sheriff, Robert Martin, to perform his duty under the law, and we believe this to be a violation of Title XVIII. You will note also that Judge Blackburn refuses to protect the rights of Ann Early. I also enclose a letter from the Administrative Assistant to Governor Burns, of Florida who refers the matter back to the local courts, although he does state that the Civil Rights Act seems to apply.

As we have stated on numerous occasions, this area of Northern Florida requires special attention. Violation after violation occurs there. It is clear that the local authorities will do little or nothing.

May we request your immediate attention on this and other matters referred to you.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: John Doar, Esq. Marvin Rich
John Due, Esq. Spiver Gordon

Marvin Rich [ca. Sept. 15, 1965]

CORE SCHOLARSHIP, EDUCATION AND DEFENSE FUND
540½ West Brevard St., Tallahassee, Fla.

Pd 9/16/65
Ck # 973

Sept 15 / 65

MARVIN RICH
CORE-SEDF
Rm. 1312
150 Nassau St.
New York, N.Y. 38

CASES: 65-281-J W. Bigalow v. Sid. Pridgeon (Madison)
65-282-J J. McColl v. H. Cherry (Madison)
65-277-J D. Dukes v. Madison (Madison)
66-286-J Krause v. Hannis (St. Augustine)

~~It is impracticable to detail this request because:~~

As Agreed to with your Secretary I borrowed $359.72 with you to reimburse me with the showing of receipts (See Aug 14 Telephone Call). Because I borrowed By Phone from Lewis State Bank for a 1 month Note - I cant wait any longer than ~~Aug~~ 17, 1965. P.S. I cant Borrow in the Future if you cant advance Legal Expense Funds. The unofficial Receipts are for Expenditures for witness fees for the second day of hearings.

JOHN DUE LAW OFFICE RECEIPTS

#1	Witness fee	65-282	Lucille Johnson	$22.08
#2	"	"	Esther Anout	22.08
#3	"	65-281	Sid. Pridgeon	22.08
#4	"	65-281	W.T. Powell	22.08
#5	"	65-282	S H Moore	22.08
#6	"	65-277	Lish	22.08
#7	"	65-277	Cone	22.08
#8		65-282	Leison	30.00

Marshall Office Receipts

65-286-Civ-J	34.00
65-277-Civ-J	18.04
65-282-Civ-J	3.92
65-277-Civ-J	53.24

U.S. Court Receipts

65-286-Civ-J	15.00

MAKE PAYABLE TO
JOHN DUE LAW OFFICE

(Three hundred & Eight dollars & Seventy Six Cents)

It is estimated that $ 308.76 will be required prior to Sept 17. Reply by phone, please, if decision is negative.

Thank you.

John Due

P.S. MAKE PAYABLE $308.76 (Three hundred & eight dollars & seventy-six cents) TO JOHN DUE LAW OFFICE

* I HAVE ALREADY PAID FROM A PERSONAL LOAN THE ABOVE AMOUNTS

Marvin Rich Copy

9/16/65

A# 974

CORE SCHOLARSHIP, EDUCATION AND DEFENSE FUND
540½ West Brevard St., Tallahassee, Fla.

MARVIN RICH
CORE-SEDF
Rm. 1312
150 Nassau St.
New York, N.Y. 38

CASE: 65-281-Civ-J - Williams Bigelow v. Sidney Pridgeon
65-282-Civ-J - Jesse McCall v. Harmon Chelly
65-277-Civ-J David Dukes v. Madison City

It ~~is impracticable to detail this request because:~~

Re: Court Reporter fee
See Attached ~~Sheet~~ Bill
From Court Reporter's Office

Make Check Payable to
Joseph Thurston
Court Reporter

It is estimated that $ 173.40 will be required prior to Sept 17. Reply by phone, please, if decision is negative.

Thank you.

John Due

Marvin Rich

Pd 9/16/65
ck #975

CORE SCHOLARSHIP, EDUCATION AND DEFENSE FUND
540½ West Brevard St., Tallahassee, Fla.

MARVIN RICH
CORE-SEDF
Rm. 1312
150 Nassau St.
New York, N.Y. 38

CASE: Harry Kearse v. Odtis Harris
65-286 Civ-J

~~It is impracticable to detail this request because:~~

Re: Oliver Lawton
Clerk Circuit Court

Payable to Clerk

forty-eight dollars

It is estimated that $ 48 will be required prior to Sept 17. Reply by phone, please, if decision is negative.

Thank you.

John Due

Excerpt from John Due's Report

DAVID DUKES vs MADISON COUNTY

On September 15, 1965, Judge Bryan Simpson, issued an order in the "private club" Cherry Lake, restraining this club for refusing Negroes the right to use the facilities and business of Cherry Lake. Cherry Lake is grounds and a lake given to Madison County by the Federal Government for the public use. But it was only until October 1, 1965, that this order became effective. This order was to take effect upon posting an injunction bond in the amount of $500. Then our problems began. The insurance agency assured us that the injunction bond is a simple matter, we don't have to worry about anything. (We only had five days to get the injunction bond.)

On the fifth and last day, the insurance agency owner told us that he is not qualified to do the bond for us and he referred us to another agency in town. I called Judge Simpson and asked for an extension of time, and he gave us one, entered on the 20th day of September. (another five days)

On the fourth day, this second agency told us that they had contacted the three agencies which he corresponds with. They all refused to issue an injunction bond for reason of the nature of the case involved, to wit: "Civil Rights." I called Earl Johnson in Jacksonville, a Legal Defense Fund Attorney, to procure the name of the insurance agency which the Legal Defense Fund and SCLC did business with in order to get an injunction (s) regarding St. Augustine in 1964. I called that particular agency, and the agency agreed to issue an injunction bond to the Plaintiff, provided that the said plaintiff put up $500 cash as collateral.

Early that morning, this being the second trip of driving from Tallahassee to Jacksonville, I drove to Madison County, to get an affidavit signed by one of the co-plaintiffs of DAVID DUKES. The affidavit was a Pauper's Affidavit. I had no law to back me in my position that a pauper has a "right" to have an injunction without posting an injunction bond as required by the court. But, Mrs. Ella Hamilton, a mother of one of the co-defendants, signed a Pauper's Affidavit, and we drove to Jacksonville, Florida to file them. The next day, on a Saturday morning, I received in the mail another order from Judge Simpson. Judge Simpson did not recognize the Pauper's Affidavit; rather he gave us another extension of time, until October 1, 1965. But he, in his order, stated a personal recognizance bond, signed by one of the parents of the plaintiffs would be sufficient for the service of the court's order.

So, again we drove back to Madison to see Mrs. Ella Hamilton. I got her to sign the recognizance bond which I prepared. Mrs. Hamilton is on welfare. She has eight (8) children, and her husband is not with her. So, there was a bitter taste in my mouth when I expaained to her that in her signing the recognizance bond, she only recognizes a possible obligation of $500. The water is cold now, but anyone may use it regardless of race or color.

10/26/65

September 16, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check, in the amount of $308.76, to your order, reimbursing you for the various fees in the Bigelow v Pridgeon, Kearse v Harris, McCall v Cherry, and Dukes v Madison
2. Check, $173.40, to Joseph Shinton covering court reporting fee
3. Check, $48, Clerk, Circuit Court re Kearse vs Harris

Sincerely,

Hope Maynard

/hm
Enclosures (3)

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
SEP 20 1965
CORE HQS

September 16, 1965

Mr. Marvin Rich, Executive Director
CORE-SEDF
150 Nassau Street, Room 1312
New York, New York 38

Dear Marvin:

one week @ $50.

This letter comes to advise you that Gwendolyn M. Hubbard is resigning from the position as my full-time secretary, effective September 17, 1965 at 5:00p.m., for reason of, increase in salary.

She has asked that you mail her check to: 638 W. Carolina Street, Apartment #4, Tallahassee, Florida.

Yours very truly,

John D. Due, Jr.

John D. Due, Jr.

JDDjr/gmh

P.S. I may try to use Barbara Larcomb to do work at her home - and a backup person, not so well trained as Gwyn or Barbara here at the office, Two persons, at $25.00 a week. It is critical and I can't get work out with NO help!!!

September 30, 1965

Dear Mr. Rich,

This letter and the accompanying checks are intended to give you a final accounting of the money paid for witness fees ######, etc., in the injunction suit against Madison County Fla. I would have given you the accounting sooner but the processed checks only reached me today.

Amount deposited to my account..........................	$512.76
Checks cashed: 19 totalling..........................	$467.80 (enclosed)
Checks returned uncashed: 2 totalling	$ 44.16 (enclosed)
My original miscalculation as to the amount of the checks I had written..................................	$ .80

Recd 10/7/65

clp 10/7/65

I owe you therefore $44.16 for the enclosed uncashed checks and $.80 for the miscalculation. I am enclosing a check for $40.00. The rest ($5.00) will begin to cover the cost of "covering" the checks before you deposited the money.

T. Striggles

No amount I could keep out would. cover t isk
ut through h

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

September 30, 1965

Mr. Marvin Rich, Executive Director
CORE, Scholarship, Education and Defense Fund
150 Nassau Street, Room 1312
New York, New York

Dear Mr. Rich:

On Wednesday, I was informed by the Southeastern Telephone Company that they cannot tell me or there is no way of finding out who made the telephone calls and who was called, where the phone calls were made by direct dialing. See your letter to me regarding the excessive telephone calls. You indicated the telephone bill of John Due regarding the out-of-state calls. Of those calls, only the following were made by non-direct dialing. They are as follows:

Austin, Texas - $1.75, White Plains - $7.75, Vonnie, Massachussets - $2.90, The Vonnie, Massachusetts bill, $2.90 and the Atlanta phone, $2.10, Atlanta phone call - 524-7247, $1.25 and the Mountain View phone call $6.50, the number there was 967-2519. In other words, only the above phone calls are the ones which the company can tell us the parties who made the phone calls and the place where the calls were made.

Now, let us consider the phone calls which were direct-dialing calls. There were four calls to Jackson, Mississippi, which you want explained. Three of these phone calls were to 948-4191, which is the telephone number of the Lawyers' Constitution Defense Committee, Office in Mississippi. The phone call to 8243 in Mississippi is the number of the Legal Defense, NAACP. Myself and some assistants made these phone calls on behalf of Core, SEDF Business, such as Assistance in the Madison County Suit and a possible suit against the Boy's Industrial School in Mariana, Florida. Regarding the phone call made to Atlanta, two of them were to the Office of Equal Opportunity I believe, especially the 1194 exchange and three of them, - 522-8764 were to the office of the Southern Regional Council. The 522-3697 was a phone call made to Jack Wasserman of the National Sharecroppers Fund. All of these calls of course, was made on behalf of Core, SEDF business, regarding information related to the workers in North Florida and the need for information regarding the 1965 Voting Rights Bill and present Desegregation. The 524-7247 andtthe 3843 numbers, I just do not remember at the present. I believe one is the home residence of Jack Wasserman , the other is the home residence of Vernon Jordon, a worker with the Office of Equal Opportunity.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

Mr. Marvin Rich

Page 2 Re: TELEPHONE CALLS

The following, I have no information about, and as shown in the first paragraph is not described as nondirect dialing, there is no way to check them out, except by letters to all of the workers who worked in my office this summer. The following numbers are Austin, Texas - 547-120 $4.85, Beverly Hills, 276-225 $4.80, White Plains, $2.25, Vonnie Hills, Massachusetts $2.90, Baton Rouge, $3.90 #342-8388, New York City, 348-3779 $6.65, Cambridge, 876-1700, $3.95, St. Charles 312-584-4368, $1.45 and Mount View 967-2519 $6.50.

I have purchased a record book called, Record of Long Distance Telephone Calls." I have hired a secretary which shall give you the pertinent information, and has been given specific instructions, not to allow myself or anybody else to make any phone calls unless they are indicated in the Long Distance Telephone Book, including all charges.

I have also left instructions to accept no long distance phone calls unless they are from myself or my workers, such as. Also, as soon as I accumulate enough capital, I shall also have a personal phone put in this office.

After a long discussion with Mr. Brandes, who is the manager at the local station, heturned on my phone until Thursday Noon. Oct 7th He also promised to do all he can to seek the information regarding the non-direct dial phone calls, which as shown in the first paragraph are not very much. But, this is only on the condition that you pay the phone bill no later than Noon, Thursday, October 7th. He says that if he has to turn the phone off again, that he will not turn the phone on again unless we pay a deposit of $200.00. He indicated that every since the phones have been put in, he has had to send a notice to my office and after receiving notice that New York is to be billed directly, he indicated that a notice had to be sent to the New York Office. In other words, a notice has to be sent every month because the phone bill has not been paid. Please Pay The Bill By Thursday, Noon.

Yours truly,

John D. Due, Jr.

JDDJR/wbd

P.S. I asked Brandeis to also send me a list of OUT-OF-STATE PHONE CALLS; AND HE REFUSED.

LEGAL DEFENSE - DOE, JOHN J., [illegible]

of Wisconsin

Please Retain Original Order

John Due

[1965, Sept]

CONGRESS OF RACIAL EQUALITY
CORE
38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

James Farmer
national director

CARL RACHLIN
General Counsel

STEVE NAGLER:

Prospective injunction against state from prosecuting the CORE staff worker Spiver Gordon for allegedly committing a lascivious act. Call Brad Brewer who will have some ideas for you and possible for complaint. After that call John Due and get details. Send to John Due a form of complaint based on the complaint that Brad Brewer will be giving you. TIME IS OF THE ESSENCE.!!

Carl

904 (222-2317)

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
OCT 7 1965
CORE SEDF

October 4, 1965

Mr. Marvin Rich, Executive Director
CORE, Scholarship, Education and Defense Fund
150 Nassau Street, Room 1312
New York, New York

Dear Mr. Rich:

I am writing you to inform you of my recent employment as secretary, full time, to Mr. John Due. I have been working here since Wednesday, September 29, 1965 at the agreed to salary of $50.00 per week.

I am enclosing my W - 4 Form for your records. I would appreciate your sending my salary as soon as possible.

Thank you very kindly.

Very truly yours,

Mrs. Linda Weintraub

Mrs. Linda Weintraub

pay for 8 days
ending 10/8
pd 10/11/65 – $80.
Ck#39 75.40

Shall send a report soon
John

October 7, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I got your note dated September 30 on October 6. It was a long note with a lot of information. I am glad you have set up a record book. It will certainly be needed. This month's phone bill arrived and it comes to $362.96. A drop of $200, but still pretty high. I notice that a couple of phone calls were made to the Legal Defense Fund. Also, I notice that on August 28, two phone calls were made to Victoria, Texas, totaling $12.80 plus tax. Somebody must have been awfully homesick.

But the chief way of bringing the phone bill down istto use paper and pen. This is the only way of keeping a permanent record of what you are doing and it is by far cheaper than the long distance phones. The difference between your long distance phone bill and mine would pay for a secretary for you.

Cordially,

Marvin Rich

MR:hm

October 11, 1965

Mrs. Linda Weintraub
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mrs. Weintraub:

Enclosed is a check in the amount of $75.40 covering your salary from September 29 through October 8.

Sincerely,

Hope Maynard

/hm
Enclosure

Computation of salary

Sept. 29 through Oct. 1 -		$ 30.00	
Less Social Security		1.09	$ 28.91
October 4 through 8		$ 50.00	
Less Federal tax	$1.70		
" Soc. Sec.	1.81	3.51	46.49
Amount of Check			$ 75.40

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
OCT 18 1965
CORE SEDF

October 13, 1965

Mr. Marvin Rich, Executive Director
CORE Scholarship, Education and Defense Fund
150 Nassau Street, Room 1312
New York, New York 10038

Dear Marvin:

I don't know how particular you are about keeping "distinctions" separate, but:

1) May Spiver use one of our offices?

viz: The workroom lounge would be used by Spiver Gordon

2) Must he pay "nominal" rent?

3) Must he procure a "separate" phone?

Yours truly,

John

J/d

cc: Richard Haley
Carl Rachlin

October 14, 1965

Mr. Theodore Striggles
52 Trowbridge Street, Apt. 7
Cambridge, Massachusetts

Dear Mr. Striggles:

Thanks so much for sending us the cancelled checks which help to substantiate for our auditors the somewhat involved, confusing transactions in the injunction suit against Madison County, Florida.

Sincerely yours,

Marvin Rich
Executive Director

MR:hm

a national organization with affiliated local groups working

CONGRESS OF
CORE
RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

OCT 1 8 1965

CORE FLORIDA OFFICE
540½ West Brevard St.
Tallahassee, Florida

James Farmer
national director
Dr. George A. Wiley
associate national director
ADVISORY COMMITTEE
Ralph Abernathy
James Baldwin
Roger N. Baldwin
Katrina M. Barnes
Algernon D. Black
James B. Carey
Allan Knight Chalmers
Grenville Clark
John Cogley
Earl B. Dickerson
Eugene E. Frazier
Harold Gibbons
Roland B. Gittelsohn
Sidney Hollander
George M. Houser
E. Stanley Jones
Bishop F. D. Jordan
Martin Luther King
Douglas Levin
David Livingston
Will Maslow
A. J. Muste
Dorothy Norman
A. Philip Randolph
Ira DeA. Reid
Walter P. Reuther
Hodson R. Reynolds
Jackie Robinson
Arnold M. Rose
Fred M.Shutlesworth
Lillian Smith
C. K. Steele
Gardner Taylor
Howard Thurman
Bishop W. J. Walls
Goodwin Watson
Joseph Willen
Jerry Wurf
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Bill Bradley
treasurer
STAFF
James McCain
director of organization
Richard Haley
southern regional director
Carl Rachlin, Esq.
general counsel
Alan Gartner
fund raising director
James Peck
COREIator editor

Plaza Restaurant
Owner
Monticello, Florida

Dear Sir:

It has been brought to our attention that you have a sign in your establishment which reads, "Every penny of Negro trade forced on this establishment will be donated to the Citizen's Council".

It is our feeling that you are in direct violation of the 1964 Civil Rights Law. We feel that this sign discriminates against the Negro race and was put there s solely for the purpose of keeping Negroes from using this public establishment.

We are looking foward to hearing from you regarding the removal of such signs or slogans.

Yours For FREEDOM,

Spiver W. Gordon
Field Secretary, CORE

SWG/seg

OCT 18 1965

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CORE FLORIDA OFFICE
540½ West Brevard St.
Tallahassee, Florida

Plaza Restaurant
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Dear Sir:

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It is our feeling that you are in direct violation of the 1964 Civil Rights Law. We feel that this sign discriminates against the Negro race and was put there s solely for the purpose of keeping Negroes from using this public establishment.

We are looking foward to hearing from you regarding the removal of such signs or slogans.

Yours For FREEDOM,

Spiver W. Gordon
Field Secretary, CORE

SWG/seg

72

October 19, 1965

Mr. John D. Due
549 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are two checks as follows:

1. Check for $212.34 representing your salary for period ending October 22
2. Check for $92.98 representing salary for Linda Weintraub for period ending October 22

Sincerely,

Hope Maynard

/hm
Enclosures

N. Fla.

October 19, 1965

Mr. Spiver Gordon
CORE FLORIDA OFFICE
540½ W. Brevard St.
Tallahassee, Florida

Dear Spiver:

With regard to your letter to the Plaza Restaurant, may I suggest that you missed an opportunity. You should have suggested to the owner that he share the money between the Citizens' Council and CORE. Why should the Citizens' Council get all the money?

Best regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/os

cc: Alan Gartner

October 20, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am very particular about making distinctions. We have to be. I see no objection to Spiver Gordon using the office on a regular basis assuming that there is space. However, he would have to have a separate phone, and pay reasonable rent.

We have not received a report from you covering the months of August, September, or October. This is far too long, and I will expect a report by early next week.

Sincerely yours,

Marv Rich

MR:hm

(See letter my reply

[illegible] [illegible] claim Dept of Agriculture for racial discrim.

14th Street and Independence Avenue, S. W.
Washington, D. C. 20250

Attention: Mr. William M. Seaborn
Special Assistant to the Secretary
United States Department of Agriculture
Washington, D. C.

His Excellency Hayden Burns
Governor of the State of Florida
Capital Building
Tallahassee, Florida

Mr. M. O. Watkins, Director
Agriculture Extension Service
University of Florida
Gainesville, Florida

Mr. Tom Maxwell, Chairman
Board of County Commissioners
Gadsden County
Quincy, Florida

Dear Sirs,

On behalf of Mrs. Pauline Palmer, I hereby register the following complaint, which is the second complaint, with regard to the employment practices of the Agriculture Extension Service, and to protest most seriously, the Federal, State, and County actions affecting racial discrimination against Mrs. Pauline Palmer, and all other Negro employees similarly situated and hereby assert that the Florida Agriculture Extension Service is not in compliance with Title VI of the 1964 Civil Rights Law for the following reasons:

1) Mrs. Pauline Palmer, regarding discrimination in the Agriculture Extension Service affecting her and other Negro employees, exercising her rights and duties as a citizen of the United States, did complain to the United States Department of Agriculture on June 26, 1965. She also testified before the Florida Advisory Committee of the United States Civil Rights Commission in June of 1965. In addition, she gave a statement to Mr. Dean L. Dasher, Special Agent, Office of Inspector General, United States Department of Agriculture. Because of these activities, she was subjected to personal exposure in her community, harassment, and implied threats.

2) Mrs. Pauline Palmer, a Negro citizen of Gadsden County, and formerly a secretary in the so-called "Negro" Agriculture Extension Service in Gadsden County, along with others similarly situated, received a discriminatory wage differential, less than the minimum wage and less than the wages other white employees of the extension service doing the similar work.

3) That Mrs. Pauline Palmer, rather than being rewarded for exercising her duties, for which she needs no reward, or rather than being compensated for receiving injuries from the Federal Agriculture Extension Service, because of race, received a letter that stated, "because of closing the office in which you work, therefore your services will no longer be needed

after October 15, 1965. This dismissal from her employment is a result of her exercising her rights and duties as a citizen, is a result of her complying with the instructions of registering complaints under Title VI of the 1964 Civil Rights Law, and is the result of a pattern of practiced racial discrimination against Negroes by the Agriculture Extension Service, which is now and being assisted and supported by the United States Department of Agriculture, Florida Agriculture Extension Service, and the Gadsden County Board of County Commissioners, and thereby constitutes denial of her constitutional rights. Therefore, Mrs. Pauline Palmer demands immediately:

a. Re-instatement as a secretary with the Florida Agriculture Extension Service.

b. The receipt of all back wages resulting for her arbitrary dismissal.

c. A receipt of the total amount of wages lost resulting for receiving discriminatory differential pay because of race, and

d. The receipt of compensatory damages because of her suffering mental pain and mental distress resulting from the acts of the United States Department of Agriculture, the Florida Agriculture Extension Service, and the Gadsden County Board of County Commissioners.

Yours truly,

John D. Due, Jr.

JDDJR/wbd

cc: His Excellency Hayden Burns
Mr. M. O. Watkins
Mr. J. B. Culpepper
Mr. Tom Maxwell
Mr. Marion Yankhauer
Mr. Carl Rachlin
Mr. Marvin Rich
Mr. Jack Wasserman

October 22, 1965

Mrs. Linda Weintraub
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mrs. Weintraub:

Enclosed is a check payable to the U. S. Marshal in the amount of $17.72 covering balance of fees due in the Kearse v Harris et al case.

Although the name of the case appears on the bill, we would appreciate having a brief description of the cases noted on the bills.

I notice that this bill was dated September 22. We would like to receive bills promptly so that they can be paid as quickly as possible so that we can continue to receive credit from the Marshal.

Sincerely,

Hope Maynard

/hm
Enclosure

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James Peck
CORElator editor

M. Jlen

OCT 2 5 1965

CORE FLORIDA OFFICE
540½ West Brevard Street
Tallahassee, Florida

Los Rico's Restaurant
Owner
Monticello, Florida

Dear Sir:

It has been brought to our attention that you have a sign in your establishment which reads "Every penny of Negro trade forced on this establishment will be donated to the Citizens Council".

It is our feeling that you are in direct violation of the 1964 Civil Rights Law. We feel that this sign discriminate against the Negro race and was put there solely for the purpose of intimidating and to prevent Negroes from using this public establishment.

WE are looking foward to hearing from you regarding the removal of such signs or slogans.

Yours for Freedom,

Spiver W Gordon

Spiver W. Gordon,
Field Sec. CORE

cc. Mr. Richard Haley
Atty. Carl Rachlin
Justice Dep't.

12

M File

NOV 1 1965

October 27, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Enclosed is our check for Edward W. Wadsworth for $25 in Steele v. Tallahassee.

I was pleased with the throughness of your last report. It was most useful, and I am sending some information from it out to our Board members to give them a better understanding of your difficulties.

But I have not had a response to my letter requesting information so that we can make an attempt to get poverty funds for your office. I think you are eligible and I think this is the only way we can get a major expansion.

Please do what you can.

Cordially,

Marv Rich

MR:hm
Enclosure

cc: Carl Rachlin, Esq. ✓

October 27, 1965

John Due, Esq. ✓
CORE SEDF
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

Thank you for your report I received on Friday, October 22. Please send us short reports regularly.

As to your three proposed suits:

1. Rowe - sounds fine, what help can we give you?

2. Palmer - Have you exhausted all administrative remedies inside the department and the federal government? Suits against the United States government are very difficult to prepare and we must lay a good groundwork.

3. Spivers I assume you want to start a civil suit for damages. I have no objections to this. Please line up your affidavits from your witnesses right away.

As to the Dukes case: in the future if we should run into this kind of problem again please immediately ask the fifth circuit to vacate so much of the order as relates to a bond. This is no justification for a bond here and the court can waive it.

Bigelow v. Pridgeon - you will just have to wait for Simpson to issue his order, because he is a very fair judge.

Madison v. McCall - the matter is "silly" but I think it indicates that the authorities respect the work you are doing.

Florida v. McDaniel - keep me advised

Saunders - keep me advised

Bathrick - very good

Monticello v. Gaffney - Do you see any basis for a legitimate appeal? Is it worthwhile appealing?

McDaniel v. Reed - You did the best you could. You were right to try to help Mr. Reed.

Florida v. Kearse - keep trying on this and make sure the fifth circuit gets all the facts on the manner in which the arrest was made.

Tallahassee v. Gordon - This situation is outrageous. In your removal papers you should perhaps allege Spiver is married and normal in every way. If necessary get a doctor's statement on this.

Good to hear from you. Let us know how we can help.

Regards,

CARL RACHLIN
General Counsel

CR/cs

Western Florida Palmer

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

November 2, 1965

NOV 4 1965

Mr. Carl Rachlin
General Counsel, CORE
38 Park Rowe
New York 38, New York

Dear Mr. Rachlin:

Enclosed herewith, is a copy of a letter I received from Mr. William M. Seabron, Assistant to the Secretary, U. S. Department of Agriculture, Washington, D. C.

I have planned to see Mrs. Pauline Palmer on Wednesday, November 3rd, around noon time, and shall write you later in the week for your assistance.

Very sincerely yours,

John D. Due, Jr.

JDDJR/wbd

Enclosure:

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

[enclosed, Due to Kochlin, 1965, November 2]

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

[illegible]

Mr. John D. Due, Jr.
CORE Scholarship, Education
and Defense Fund
540½ West Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Acting on my request, the Office of the Inspector General of this Department conducted an investigation of the allegations made by Mrs. Pauline Palmer that the Florida Cooperative Extension Service had discriminated against her because she is a Negro.

The fact that the Extension Service is a cooperative effort of the Federal, State, and County Governments makes it subject, to some extent, to the dictates of all three levels of Governmental control and policies, some of which vary widely from county to county. In Florida it has generally been the policy for the counties to provide the office space and facilities for the Extension Service personnel and operations in their respective counties.

Clerical positions at the county level have not been classified or graded according to duties, responsibilities, or salaries. There is little uniformity in those regards, and there are wide variations in the salaries paid to the clerical personnel in the various counties. The duties, responsibilities, and volume of work also vary widely in these positions. Primarily, this matter has been considered to be a county problem, and the salaries, to a large extent, have been established by the local Boards of County Commissioners in line with what the Boards considered was the wage [illegible] existing in the various counties and taking into consideration the availability of funds in the county treasuries.

In such cases were the State Extension Service to raise the salary of a county clerical assistant beyond the scale that the local Board believed adequate, the possibility always existed that the Board would reduce its contribution to the salary of the employee by the amount of the raise. The State office endeavored to get the counties to support the Extension Service program to the fullest financial extent possible, and consequently had to deal tactfully and discreetly with the various Boards of County Commissioners in connection with office facilities and salaries provided by the Boards.

The amount of salary paid to Mrs. Palmer was determined primarily by the Board of County Commissioners who paid the major portion of her salary. The Florida Extension Service provided $600 per year for this position and expected the county to supplement that amount by whatever sum the county considered appropriate. The general wage scale in Gadsden County was extremely low, and apparently the County Commissioners felt that the salary authorized for Mrs. Palmer was adequate in relation to other salaries of the county.

It is my understanding that the volume of clerical work done by Mrs. Palmer was substantially less than that produced by the clerks either in the office of J. C. Russell, the County Chairman, or in the Home Demonstration office. The Negro Extension Service office did not prepare and type annual reports and annual plans of work, which were prepared in Mr. Russell's office and typed by his clerk, Mrs. McCall. Mrs. McCall also typed all the correspondence to the State office relating to the county agent program matters and administrative business of that office as well as the Negro Extension Service office. In like manner, the Home Demonstration clerk, Mrs. Bay, whose salary was paid entirely by the county, typed all correspondence to the State office relating to the Home Demonstration Agent program of that office as well as the Negro Extension Service office. As a result, Mrs. Palmer had none of that work to do.

Since the Negro Extension office was subordinate office under Mr. Russell's office and the Home Demonstration office, it was not required to keep as many records or issue nearly as much correspondence as did Mr. Russell's office or the Home Demonstration office in connection with contacts with the Board of County Commissioners, the farm families of the county, the State office, and the public in general.

In relation to her duties, responsibilities, volume of work, and actual hours worked in their respective positions, I am informed that Mrs. Palmer was not any more underpaid than Mrs. McCall and Mrs. Bay.

The general wage scale in Gadsden County is reported to be extremely low and the Board of County Commissioners tried to establish a fair salary for the Negro clerical position in line with the existing wage scale of the county. Effective October 1, 1964, the county increased its share of the salary paid Mrs. Palmer by five percent as was done in the case of all county employees.

I understand further that Mrs. Palmer was fully aware of the amount of the salary and the duty hours when she accepted the position, and that she had not directly or indirectly registered a complaint with the Board of County Commissioners regarding either.

It would appear, Mr. Due, that Mrs. Palmer is neither a Federal employee nor a "joint representative" of the Federal and State Governments. Executive Order 10925, the Federal directive on equal employment opportunity, therefore cannot be applied to her in this situation. Neither does she come within the scope of Title VII since she is an employee of political subdividions. Title VI specifically does not apply to any employment practice except where a primary purpose of the Federal financial assistance is to provide employment.

It is true that Title VI does require the integration of housing, and all of the various county staffs are to be housed in a single structure without regard to race, color, or national origin by no later than December 31, 1965. This undoubtedly accounts for the closing of the Negro Extension office with the consequent release of Mrs. Palmer.

I trust that this adequately answers the points raised in your letter of October 21, 1965. If I can be of further assistance, please call on me.

Sincerely yours,

Wm M Seabron

William M. Seabron
Assistant to the Secretary

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

NOV 3 1965
CORE SEDF

November 2, 1965

Mr. Marvin Rich, Executive Director
CORE, SEDF
150 Nassau Street, Room 1312
New York, New York 10038

Dear Mr. Rich;

I have been finding it impossible to get all of the necessary work done around here since all of the volunteer workers have been gone since the summer. So very much has accumulated since the summer and even more so during the period from September 17, when Gwen Hubbard left us after only a month's employment, and September 29, when Linda Weintraub began working as our secretary.

Because of all of this accumulation of back work, I have found it necessary to hire part time help frequently. It takes quite a good bit of time to train a secretary to be able to understand the way things are done around here and when wages you pay are so very low, it is almost impossible to be able to keep anyone of any capabilities, for any length of time. We are finally getting to a point where things are getting better organized and running a bit smoother.

As a result of the above stated reasons, I am enclosing receipts, photocopied, for the amount I have had to pay part-time help from September 15 to October 12, 1965. I hope you will find this satisfactory. Also included are receipts from the Lease purchase, $37.82, and a $10.00 deposit for CORE, SEDF to be listed in and get a full page add in the Tallahassee Business Directory. All of this totals $155.32.

These receipts were not sent in before this because of the insufficient help hereinabove described; causing a delay in getting them collected and sent.

Thank you very much.

$117.50

Yours very truly,

John D. Due Jr.
John Due

P.S. #1. The Lease Purchase refers to a dry-copy machine which saves time and paper; I shall send a letter under separate cover.
#2 Business Directory I shall Also Explain

November 3, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am sending you reimbursement of $117.50 for secretarial assistance which you required. You are not now being reimbursed for the lease purchase of the photo coping machine.. There is no indication as to the total cost of the purchase, the number of months required to pay, nor a description of the machine. Please send a copy of the agreement with full particulars. If this is a major expenditure, we should have been informed before hand.

I have not yet heard from you with regard to my letter of October 1 concerning your eligibility for OEO assistance. This is terribly important if your operation istto be adequately funded.

Enclosed is a copy of tur latest newsletter. If your report had been in to us on time, there would have been some description of some of your cases. I am sorry about this.

Cordially,

Marv Rich

MR:hm
Enclosures

November 3, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Your salary check, $212.34 for period ending November 5

2. Check for $150, car use for month of November

3. Check, $92.98, Linda Weintraub's salary for period ending November 5

Sincerely,

Hope Maynard

/hm
Enclosures

I. Review of Cases and Administrative Actions of Last Two Weeks:

A. Pauline Palmer Case

Mrs. Palmer worked as an Extension Agent's Secretary until they "desegregated". and closed the Negro Extension Agent's Office. We know that federal, state and local governments interpret "desegregation" by fireing all Negro employees, and because we know that this action particularly applies to Mrs. Pauline Palmer, who complained about segregation in the Agricultural Extension Program before U. S. Civil Rights Commission's Florida Advisory Committee and by complaining to the Secretary of Agriculture, Mr. Freeman. We complained again to Mr. Freeman, to state officials, and to local officials. From the state level we got a letter from Mr. Culpepper that they shall "investigate" and they shall give what they find from this investigation. We received a letter from Mr. Seabron, Assistant Secretary of Agriculture. The letter avoids completely the question of segregation and the Agricultural Extension Service and the method of desegregation. In effect, the letter stated that Mrs. Palmer was "terminated because she was not needed" and did not do as much "work as the white secretary did when they had separate offices." Mrs. Palmer denied all of this, and stated that she had to do annual reports, monthly reports, statistical reports, and analytical reports, which were either sent directly to the state offices or the district offices, or to the local separate white office.

As Carl Rachlin has suggested, we are trying to determine methods of seeking an Administrative Hearing. We have sent a report of what has happened to Mrs. Marion' Yankhauer on the U. S. Civil Rights Commission and to Mr. Frank Graham, Chairman of the Advisory Committee which is supposed to watchdog segregation activities in Agriculture. After receiving further advise and assistance, we shall proceed to demand an administrative hearing, which will have the purpose in mind of opening the door to desegregation of the Agricultural Extension Service in the State of Florida. We hope to look into practices such as Negro County Agents, who may have had twice as much experience as other white assistant County Agents. But the while assistant county Agents have been promoted to Associate County Agents and Negro County Agents there have been demoted to Assistant County Agents during current "desegregation." Also, as in Jefferson County, Negro farmers are not getting assistance from the white County Agents since the Negro has been terminated - we want to know whether this is a pattern in Florida.

B. Sadie Estelle Gordon Case

This is a new case in that we have appeared on behalf of Sadie Gordon, and have moved for Contempt against Mr. Milton Driggers and his Yellow Pine Truck Stop in Madison, Florida which was one of many places which were ordered by Judge Bryan Simpson to desegregate. This was an action that was initially filed by Tobias Simon, Miami, Florida, an Attorney that has been active in the American Civil Liberties Union and for Field Secretary, Spiver Gordon's wife, Mrs. Sadie Gordon who was a Plaintiff in the case. Mr. Milton Driggers within a few weeks, assaulted a Negro teacher from FAMU with a black-jack when he sought service. Mr. Eubanks duly complained with the Justice Department, the FBI, the U. S. Civil Rights Commission, and others. This was in December, 1964. Mr. Eubanks also complained with the local police. Then this year, August, Mr. Eddie Bird, just returning from Viet Nam to assume teaching at a Madison County School, went with a party to Yellow Pine Truck Stop, and they too were assaulted. This was the last week in August, 1965.

One of Milton Driggers employees, a Negro cook, Mrs. Flossie McDaniel, quit, protesting Driggers policy and she was hit with a black-jack and was shot at, by Driggers, when she returned to demand her back wages.

The county, now being sued by us already for not protecting Negroes, arrested Driggers for "Assault with intent to kill," but of course, the Grand Jury failed to indict, and for a simple charge of simple assault, the jury failed to return a verdict. We are preparing an Intervenor's Complaint on behalf of Mrs. Flossie McDaniel. We have filed a Motion For Contempt for Mrs. Sadie Gordon also.

See the case report where we had to respond in the United States District Court in Jacksonville, Florida, against a Motion To Remand. We now report that we had to return to respond to a Motion To Dismiss And To Strike. One of the things the defendants want to have dismissed or struck from the complaint is Justice of The Peace, Marvin Greer, St. Augustine. Somehow, it got into the cases that the Civil Rights Laws do not apply to actions of a Judge because of their "Judicial Ammunity." I have found no recent cases which destroys this archaic judicial immunity defense. I tried to "end run" this argument by arguing that judges are liable when they exceed their authority - using a 1955 Florida Federal Case, but McCrea didn't buy it. We must appeal his decision on the Motion to Dismiss or this will give license to judges to do as they please here in North Florida.

D. The North Florida State Fair

The North Florida State Fair was held last week. Traditionally, Wednesday was the day for white students and Thursday was the day for Negro students. Our office and Spiver Gordon, Florida Field Secretary for CORE, conferred with the Technical Assistance Program of the State. (This is a program which is financed under the 1964 Civil Rights Law.) And after stating the problem, we were told that Leon County Schools immediately decided to terminate the separate days for Negro schools and white schools, and we were also told that the other counties never did participate in this manner anyway. But we soon learned that certain Negro schools in surrounding counties were, by coincidence, going to the fair on Thursday, "unofficially of course." Gordon sent telegrams immediately to the Superintendants of the Counties, and the Negro Principals of those schools. Spiver Gordon stated in the telegram that if the Negro schools did participate, he would non-violently resist their appearance. Early Thursday morning, I received urgent telephone calls from T. A. P. Officials who stated that we should publically withdraw our position or otherwise we would loose face.

We are "supposed" to know there is no such thing as Negro day and White day at the Fair. We advised them that we had contrary information and that Mr. Spiver Gordon would be there Thursday to check as to whether or not we were right. State police, Sheriff Departments and City police were all present to arrest Spiver Gordon and his Negro demonstrators if he would begin to non-violently resist anything. But not one student from a Negro school appeared that Thursday.

E. Gadsden County Hospital Problem

With members of the Gadsden County Civic Interest Group, a Negro Community Organization, we met with the Administrator of the Gadsden County Hospital. He demonstrated how he is complying with the 1964 Civil Rights Law, wherein the patients are assigned to the floor they choose. (Before, all Negro patients were assigned to the basement floor.) We showed him how different Negro patients had chosen the second (2nd) floor and were assigned to the second floor, but then were sent down to the basement when a white patient wanted the room. He said he would investigate. Of course, he had no Negro office help or professional staff because "none have applied." He promised that he would ask from other areas than just white business colleges and white schools for employees.

He admitted that Negro patients and White patients were not assigned to the same room, and he said that he was not going to do it until after he was told to do so by a higher authority. An investigator from H. E. W. during the previous week, suggested to him that it seemed odd that although the County is 50% white and 50% Negro, no Negro and white patients were assigned together. The investigator required him to submit a weekly report as to the assignment of patients. Spiver Gordon has sent many complaints to H. E. W. When we conclude that H. E. W. is not going to insist that Gadsden Hospital terminate its policy of not assigning patients to the same room, we will file an action.

John Due

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

November 11,1965

Mr. Marvin Rich, Executive Director
CORE,SEDF
150 Nassau Street, Room 1312
New York, New York 10038

Dear Marvin,

I. PHOTOCOPY EQUIPMENT

If we plan to do more than just have a mere "presence" in North Florida, and if we want to have some volume of work, it is necessary to have books, dictating equipment - for $50 a week secretary who can not take shorthand - and photocopy equipment so workers can send copies to about 8 or 9 groups; and to persons we're working with. After begging for the above materials for 6 months, I proceeded to buy, at my own expense, more than $400 worth of books, I have leased a dictaphone, and in September I began to lease a 3M dry photocopy machine. I may later ask SEDF to at least keep up with the maintenance and supplies for the dictaphone. But for now, I offer to justify why SEDF should assume all the expenses regarding the Photocopy machine. Attached are the lease agreements from 3M (Lanier Company) and other contracts and bills.

In the middle of September, just before Gwendolyn Hubbord, my past secretary, terminated, she was trying to copy something on the A. B. Dick wet photocopy machine. She wasted 9 copies without getting one good copy before we called the A. B. Dick people to again come and adjust the machine. This incident had occurred tens of times before during the summer. This being the last straw, I told the Lanier Company to come and bring their dry copy machine by the office. Once the technique has been mastered, one has no trouble with a dry copy machine. It is set for the proper exposure only once. There is nothing to get out of adjustment because of a bad mixture of fluids, etc. as there is with the wet copier. Also, with this dry copy machine, I can photograph pages of books and therefore, plagerize for my own use, necessary statutes and rules from books which I may only borrow temporarily. The following are some notes which I did last September regarding the two photocopy machines:

A. OPERATION OF A. B. DICK WET PHOTOCOPY MACHINE (From March 31 to September 31)

1. SEDF paid A. B. Dick $10.00 a month until the $75.00 purchase price was paid. $ 75.00

2. Cost of fluid: $1.35 per quart 6 quarts.................. $ 8.10

3. Cost of paper: 9 packages of negative paper @ $4.75 per package......... $ 42.75
9 packages of positive paper @ $3.75 per package.......... $ 33.65

4. Secretary time waste: 234 copies at 10 minutes per copy @$1.00 Hr. wages $ 40.00

TOTAL....... $199.50

B. CALCULATING WASTE ON WET COPY MACHINE - A. B. DICK - (March 31 to September 31)

1. Le Faucette era (March 31 to July 31)........ 2.5 average wastes for one good copy.

2. Post Le Faucette era (July 31 to September 31), "A course with A. B. Dick"....... 3.5 copies wasted to get one good copy. (and this is very conservative estimate)

Therefore an average of 2.8 copies were wasted between March 31 and September 31 in order to get one good copy.

Which means that of the 1,800 sheets which SEDF had bought in the 6 months, 1,332.08 was waste.

This cost CORE - SEDF a total of $56.50 for the 1332.08 sheets wasted....... 468 sheets "not wasted" equals 234 good copies.

Therefore of the $76.40 used for paper, we could have saved $56.50, or the cost of $9.04 per month.

C. ESTIMATED COST OF OPERATING 3M (Lanier Company s) DRY PHOTOCOPY MACHINE (For 6 month period)

1. Lease cost: $18.91 per month................For 6 months............. $113.46

2. Photocopy paper: less than 7 cents per copy...For 234 copies........... $16.38

3. Secretary time: 1 minute to get good copy.....For 234 copies..@ $1.00Hr. $ 4.00

TOTAL......$123.84

D. Therefore, the difference in operating the wet copy and dry copy machines will save CORE, SEDF...$199.50 (wet)

-$123.84 (dry)

TOTAL.............$ 75.66

Caveat:

The preceeding estimates are from calculations made on September 31, as an estimate for prediction. The enclosed bills from the Lanier Company are not a true indication of the future costs of paper as we have 600 sheets of the original 8½ x 11 paper left and 1,200 sheets of 8½ x 14 left also. Also becuase the machine was new and we were all new using it, and the mimeograph machine breaking down, and using less carbon copies, we have used an excess amount. In the future we will try to use it less, if you do so indicate.

As you know a monthly "lease" is less than a monthly "rent". If you approve and agree to pay the monthly lease as long as I am down here, I shall send you the coupon book for payments.

Marvin, I therefore have a wet A.B.Dick machine which belongs to CORE, SEDF. Please tell me where to send it. I would appreciate very much if you would assume the contract for the leasing of this dry copy machine - or an alternative, assume the cost of purchasing the paper and any maintenance which may be necessary. This dry copy machine is very necessary. The most precious comodity, I've found, is time, and this machine surely saves us that. I feel this machine is the best compromise between a cheap wet copy and the most expensive dry copy machine.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND

540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

PART II of letter..........LEGAL ASSISTANCE PROGRAM

I have not been ignoring your letter as of October 1, 1965. I just returned from Gainesville and one of the things I did there was to discuss the Legal Assistance Program with Dr. Marshall Jones. He is a professor at the University of Florida who has been quite active in support of Civil Rights in Gainesville. He has just formed and was elected president of the Gainesville chapter of the ACLU. He is also advisor of the Students Committee on Equal Rights, of which Judy Benninger is president. Dr. Marshall Jones asked me what the purpose of the Legal Assistance Program is. I answered, "To use Federal monies to foster revolution". (he smiled). But it is true that it is poverty stricken people who are denied their Civil Rights and Civil Liberties. Although the Gideon Rule has established that the State must provide an attorney for one who is charged with a criminal offense, I believe it is a denial of dur process, and therefore a violation of the 14th Amendment, for the State not to provide an attorney in order to sue for Civil Liberties and Civil Rights. This should be, therefore, the program of the North Florida Legal Assistance Program: To demonstrate that the non - monied classes may also sue to protect their rights!

The persons that should be on the North Florida Advisory Committee are as follows:

Mr. George Lewis III - former Chairman of the Florida Advisory Committee to the United States Civil Rights Commission, and bank President of Lewis State Bank.

Dr. Marshall Jones - Professor at the University of Florida, and President of the Gainesville ACLU.

Mr. Stanley Laughlin - Professor of Law at University of Florida, and on the Legal Panel of Gainesville ACLU, and advisor to Law Students on Civil Rights Research Committee.

Mr. Fletcher Baldwin, - same as above.

Judith Benninger - President of Students for Equal Rights, and Secretary of Gainesville CORE.

Mr. Rutledge Pearson,-Chairman of the Florida Conference of the NAACP, Jacksonville, Florida.

Rev. C. K. Steele. Vice President of the SCLC, Tallahassee, Florida

Rev. Dan Speed, President of NAACP, Tallahassee, Florida

Mr. Berrium - President of Liberty County Community Improvement Association.

Mrs. Grace Hardy - Secretary of Jefferson County Voter's League, Monticello, Florida.

Mr. Witt Campbell - Chairman of CIG , Quincy, Florida

Mr. Gye Long - Marianna, Florida Community Leader

Mrs. Rose Campbell - Chairman of Project Head Start in Taylor County.

Professor R. L. Williams - Dean of Law at Florida A&M University.

Mr. M. O. Watkins - Instructor of Law at Florida A&M University.

Mr. Rogers - same as above.

Mr. Marvin Davies - Instructor at Florida A&M University, and Developer for Manpower.

Dr. Vernon Edmunds - Professor of Sociology at Florida State University, and Chairman of the Tallahassee Chapter of ACLU.

One other F.S.U. Professor, not as yet decided

The next question is what area? There shall be 3 areas to be covered by 4 attorney's: 1 coordinator and 1 for each of the 3 areas. The 3 areas shall be:

1) Tallahassee area - covered presently by North Florida Citizens Education Committee and the former Big Bend Voter Education Campaign. It stretches from the Appalachacola River to the Swuannee River, enclosing Marianna, Tallahassee, Quincy, Monticello, Madison, and Swuannee County.

2) Gainesville area - covering areas from Lake City to Ocala, Florida. This is nothing but a logical extension to what should be A CORE area. Moreover, this will be , soon, included as an additional part of the newly established 9th Congressional District because of reapportionment. (CORE is presently serving the 9th Congressional District as it is now presently confined, as shown in the Tallahassee area above.)

3) Jacksonville area - You may say, "Why Jacksonville?" For two reasons: One reason is that an attorney in Jacksonville can more adequately serve St. Augustine. Jacksonville is only 32 miles from St. Augustine, whereas, it is more than 200 miles from Tallahassee. I am presently serving St. Augustine, but, it is much wear and tear plus a loss of time for me to handle the 4 cases out of that area. The second reason is that the only Civil Rights lawyer in Jacksonville area is Attorney Earl Johnson, a Legal Defense Fund Attorney. The Legal Defense Fund has obvious limitations - being more of a defensive-type litigations rather than affirmative-type in dealing with poor people. Jacksonville is the second largest city in the state of Florida, and by southern standards, could be considered a large urban area - with 50% Negro population out of the total 200,000 overall population. Whereas, the two other areas are rural, the Jacksonville area could be a wonderful area to determine methods and to experiment on how to best assist poverty people in an urban setting. When I use the word research, I mean that it is very important for the purpose of a Legal Assistance Program to do research and to experiment in legal methods to assist the poor. Also, I think this is very important to include research as a purpose because this may be grounds to get more foundation support. As you know, it is much easier to get Federal funds when a foundation will put up part of the funds.

I therefore have begun to create an advisory committee. Looking at the people to be appointed, you notice a "Civil Rights predominance". This is deliberate becuase it is the thesis of the program that poverty people is that group which is denied Civil Rights and Civil Liberties, and, therefore do not enjoy the full benefits which they may receive in the American Society. However, I do have a smathering of people who have been involved with anti-poverty "standardized programs", such as Rose Campbell with Project Head Start in Taylor County and Marvin Davies who is program developer for Manpower Training Program at Florida A&M University. I shall develop a package of materials and invite each of these people I have listed for the Advisory Committee to a meeting to discuss and plan for an anti-poverty program regarding legal assistance in North Florida. Of course, I want to have this meeting at the Duval Hotel with room, board and travel expenses to all be paid by CORE - SEDF.

As you will notice, my weekly report this time is mimeographed. This is to send to all the LCDC and Law Students on Civil Rights Committee, people who worked with me this summer and to be sent to some of the people I want to work with on this Advisory Committee. (Yet on the other hand I had better do some editing, don't you think?) These remarks are somewhat rough but I will be more explicit in the next few weeks.

Yours very truly,

John
J/l

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

FROM: JOHN D. DUE, JR. TO: CARL RACHLIN & MARVIN RICH

The following describes CORE-SEDF activities in North Florida since the last report.

CIVIL RIGHTS CASES

DAVID DUKES vs MADISON COUNTY

On september 15, 1965, Judge Bryan Simpson, issued an order in the "private club" Cherry Lake, restraining this club for refusing Negroes the right to use the facilities and business of Cherry Lake. Cherry Lake is grounds and a lake given to Madison County by the Federal Government for the public use. All well and good. But it was only until October 1st, 1965, that this order became effective. The joker in the deck was that this order was to take effect upon posting an injunction bond in the amount of $500.00. Then our problems began. The insurance agency which CORE does business, assured us that the injunction bond is a simple matter, we don't have to worry about anything. (we only had five days to get the injunction bond.)

On the fifth and last day, the insurance agency owner told us that he is not qualified to do the bond for us and he referred us to another agency in town. I called Judge Simpson and asked for an extension of time, and he gave us one, entered on the 20th day of September. (another five days)

On the fourth day, this second agency told us that they had contacted the three agencies which he corresponds with. They all refused to issue an injunction bond for reason of the nature of the case involved, to wit: "Civil Rights." I called Earl Johnson in Jacksonville, a legal Defense Fund Attorney, to procure the name of the insurance agency which the Legal Defense Fund and SCLC did business with in order to get an injunction (s) regarding St. Augustine in 1964. I called that particular agency, and the agency agreed to issue an injunction bond to the Plaintiff, provided that the said plaintiff put up $500.00 cash as collateral.

Early that morning, this being the second trip of driving from Tallahassee to Jacksonville, I drove to Madison County, to get an affidavit signed by one of the co-plaintiffs of DAVID DUKES. The affidavit was a Pauper's Affidavit, which we in Mississippi, had petitioners to sign regarding petitions of removal and appellate proceedings. I had no law to back me in my position that a pauper has a "right" to have an injunction without posting an injunction bond as required by the court. (At least my "expensive" Federal Library didn't show any law). But, Mrs. Ella Hamilton, a mother of one of the co-defendants, signed a Pauper's Affidavit, and we drove to Jacksonville, Florida, to file them. No one saw Judge Simpson in his Chambers at this particular time. But the very next day, on a Saturday Morning, I received in the amil another order from Judge Simpson. Judge Simpson did not recognize the Pauper's Affidavit; rather he gave us another extension of time, until October 1st, 1965. But he, in his order, stated a personal recognizance bond, signed by one of the parents of the plaintiffs would be sufficient for the service of the court's order.

So, again we drove back to Madison to see Mrs. Ella Hamilton. I got her to sign the recognizance bond which I prepared. Mrs. Hamilton is on welfare. She has eight (8) children, and her husband is not with her. So, there was a bitter taste in my mouth when I explained to her that in her signing the recognizance bond, she only recognizes a debt of $500.00. The water is cold, but anyone may use it regardless of race or color.

BIGELOW vs SIDNEY PRIDGEON, and JESSE McCALL vs MADISON COUNTY

As indicated in our last report, we had a very interesting hearing in Jacksonville on August 17, 1965, and we now have the transcripts. (The transcripts are available for your use if you want to look through them) Judge Simpson has not shown himself to be a a Judge Christenberry. Judge Simpson has failed to issue an order - although he indicated the need and role for CORE SEDF.

Judge Simpson indicated that he was going to issue an order against the County and City Officials of Madison, but he indicated he was very reluctant to issue an order or damages against Judge Rowe of Madison. He said that he had not made up his mind about Rowe. Therefore, we are very surpirsed he has not issued an order as of yet (in two months) against the other officials.

Judge Simpson expressed feelings about the rural area of North Florida as being behind and a burden upon the rest of the state. He seemed to be concerned that no real effort is being made by civil rights groups in Jacksonville in that it is the 2nd largest city in Florida, a large urgan area, which could show the rest of state just as Atlanta is affecting Georgia. (Apparently he has the typical northern Florida bias against Miami as not being part of Florida - as being separated from the rest of the state by sand and orange trees).

Since Bryant Simpson is the best Federal Judge we have in Florida, I see no need to ask the judge when he is going to issue the order until there is another incident of harrassment and intimidation by local officials. Let's keep him on our side. In fact, although he has not issued the order, something has happened which is very interesting which shall be reported in the following case.

CITY OF MADISON vs JESSE McCALL

As testified in Federal Court, Jesse McCall, a Negro Citizen, in whose name the injunction is sought for against the City of Madison, among other plaintiffs, was arrested for "reckless driving" when taking the voter registration people to court to vote, last July. This case was called on October 4th for trial in City Court. (We had prepared a petition of removal earlier, but I decided not to file on the grounds of expenses in appealing a remand order).

During the recess of the trial day, Chief Herman Cherry called me to his office and said that Police Officer Sidney Pridgeon, had not yet appeared for court. If you remember, in Federal Court Jesse McCall testified how Sidney Pridgeon, in a police car, deliberately drove in such a manner as to cause an accident with Jesse McCall and then charges Jesse McCall with reckless driving. So, in the Chief of Police office, Cherry acted very indignant, saying "Pridgeon is not here and he is supposed to be here and God damit if he is not going to be here, I am going to ask the judge to dismiss this case with Jesse McCall." I told Chief Cherry that's alright with me. So after the recess, Cherry stated to Judge Rowe that Sidney Pridgeon was not there. Judge Rowe said well we'll go ahead and dismiss this case, and then Rowe apologized to me saying if he knew that Sidney Pridgeon was not going to be there, he would have called me and saved me the trip to Madison.

The whole episode was a silly act in that if Cherry wanted Sidney Pridgeon to be there that morning, Sidney Pridgeon would have been there. So therefore, although no order (Federal Court Order) has been issued, the court merely taking jurisdiction has had its affects.

STATE OF FLORIDA vs WILLY McDANIEL

On August 20th, I filed a petition of removal on behalf of Willy McDaniel in Madison. Willy McDaniel is Chairman of the Youth Chaper of the NAACP in Madison. While picketing the theater with CORE worker David Dukes and others, a white boy with a pipe came along side Willy McDaniel and hit him in the head with the pipe. Although Willy McDaniel did not even protect himself, and was completely non-violent, Willy McDaniel was the one arrested. (Willy McDaniel, since becoming envolved with Civil Rights has a changed character. Before, he was a well known trouble-maker, and had been suspended several times from school for fighting.)

hecklers while picketing at a movie theater who had been throwing popcorn and other debris at the demonstrators. The police officer came and of course, arrested the Negro participants and handled Sandra Saunders roughly. Sandra Saunders happened to have a batton with her which she used on the policeman. We removed this case to Federal Court. August 20th.

BATHRICK vs COOPER

(This case is similar to cases seeking an injunction against County Officials which was filed during the summer but in St. Augustine, Florida)

We drove to Jacksonville to oppose a motion to dismiss, September 22nd. We argued in front of Judge McCrea. McCrea is no liberal like Simpson. But he indicated that he was going to rule in our favor. But, as of yet I have seen no order to that effect.

CITY OF MONTICELLO vs REV. JAMES GAFFNEY

Last year, November, Rev. Gaffney was, among others, transporting people to the courthouse to vote. Deputy Ward followed him as he picked up people from the courthous He followed him all the way out of town and then arrested him for running a stop sign an reckless driving, and made him post a $100.00 cash bond, cash only. After talking to Carl, we decided not to remove the case to Federal Court, but to go ahead and press ou chances in the County Court. Although we had plenty of witnesses, although the County's arresting officers were put under the rule and contradicted themselves, although Deputy Ward failed to explain how, when not knowing who I was, stopped me on a highway for speeding and allowed me to write the thirty-five dollar check for posting bond, but required this citizen and resident of Monticello to post a $100.00 cash bond, the completely "unbiased jury" ruled against us. The Jefferson County Voter's League is paying for Gaffney's costs. Trial was held the morning of September 22nd, 1965.

OBIE McDANIEL vs LINZY REED

At last, it appears that Linzy Reed case is ready for our closed files. And, as shown in many previous reports, Mr. Linzy Reed has a poverty family. His gross earnings $1,600.00 (1964) per annum, but owning about $10,000.00 worth of land, who was unduly and unconscionably taken advantage of by white "financial" people in Blountstown, Calhoun County. Linzy Reed's father borrowed $6,000.00 to purchase a tractor and other equipm at 10% interest secured by a mortgage which was assigned to Mr. McDaniel, all of notes being past due.

CORE-SEDF made a greate effort to assist Mr. Reed. We attempted to get a loan from FHA, was refused by the County Agent, appealed the decision to State Office, Le Faucett drove to Washington, D. C. to appeal the case there in Washington, D. C., and Carl Rachlin had corresponding attorneys in Washington, D. C. that tried to intervene in Mr. Reed's behalf, but we were still denied Federal Assistance.

We finally had to go to the hearing for foreclosure and my defense was that Mrs. Reed, wife of Linzy Reed, being uneducated and incompetent, did not legall execute the mortgage The court ruled against us and the foreclosure sale was to take place the 20th of Septem 1965. I must remind you that Mr. Ed Ball of the Dupont Dynasty owns all the land arou here in North Florida and is the party behind the effort to steal the land away from the decedents of Negroes who held title to the land flowing from the Freedom bureau.

The week prior to the sale, I filed a notice of appeal, and was ready to order the recor to be transcribed. I did not feel secure because I had just received from Marvin Rich, some guidelines stating that CORE-SEDF work should be purely Civil Rights work. On t other hand, I did not see how the Linzy Reed case could be anything but civil rights.

McDinner. Mr. Linzy Reed did this before I could advise him not too. In any case, the Reed family can harvest their land this fall before they have to move off the land. Chicago, Atlanta, New York, open up your welcome doors! Here comes the Reed family. Someone said that the purpose of the Farm Housing Administration Act is to encourage farmers to stay on the land. I imagine that the Reed family is wondering which farmers and are also wondering what the so called Anti-Poverty War is all about.

STATE OF FLORIDA vs HARRY KEARSE

Here is another Civil Rights Case in St. Augustine, Florida, where Mr. Harry Kearse, a Negro Civil Rights Worker, happened to question arresting officers about the manner in which they were arresting the young teenagers. Kearse was immediately assaulted himself, brought before the Justice of the Peace, tried and found guilty without counsel. I appealed the case and also have filed a petition for removal. On October 11th, we drove to Jacksonville to oppose a motion to remand. Judge McCrae did not ask any questions, but based upon prior civil rights cases coming out of St. Augustine, and other areas, Judge McCrae will grant the motion to remand, which is like a motion to dismiss and we shall have to appeal the case to New Orleans. In this case, we are on shaky legal grounds, in that, it is not yet established as to whether or not there has to be a state statutue unconsitutional on its face in order to support a petition of removal. Abuse of authority, and interference with civil Liberties should be sufficient to support a petition of removal, but I believe Mr. Anthony Amsterdam, an expert on removal, believes that it is not.

CITY OF TALLAHASSEE vs SPIVER GORDON

It is very difficult for a civil rights worker to be "a good samaritan" One Friday evening, Spiver Gordon was driving from Tennessee Street coming toward the Greyhound Bus Station, when he saw two or three ladies, one of whom whose dress was torn. He stopped and asked the lady what was the matter. She stated that she had been assaulted, so Spiver Gordon drove off looking for some police officers. He returned and did not see the ladies. He walked around, and was inquiring about them when an elderly white gentlemen came up to Spiver Gordon and said, "you look like Joe Louis." Spiver Gordon took offense and stated that he did not look like Joe Louis, and at this time, a young white person said to Spiver, "of course you don't look like Joe Louis." Thereupon, they engaged in a friendly conversation. The young white man indicated that he was a student at Florida State University, but was tired and confused because of studying too hard, and felt very disturbed mentally. Then the white youth indicated that he would like to ride with Spiver, and immediately Spiver Gordon was arrested by officers Peacock and Haynes, who knew Spiver Gordon. Spiver Gordon asked the officers why he was under arrest and Haynes said, "there are some homosexual activities going on around here." Spiver Gordon was booked, and charged with the offense "solicitation to committ a Lascivious Crime: To wit, Fellation." I made an attempt to see officers Peacock and Haynes who were conveniently absent or on a trip to Georgia. The offense "fellation" is nowhere stated in the Florida Statutes as described in the information against Spiver Gordon. I presented a Motion to Quash, and argued it and the City Judge, Booth, was quite angry, saying: Do you know if you want to assert protection of his civil rights, you have to go to a Federal Court instead of my court?" Trail was set for October 8, 1965, but on that morning, I had a clerk file with the City Judge, City Clerk, and City Prosecutor, a Petition of Removal. We are now preparing an Amended Petition of Removal and then after we have all eye witnesses ready, I will want to file a suit for False Arrest, False Imprisonment, malicious Prosecution and Defamation on behalf of Spiver Gordon against the City of Tallahassee.

The above is a description of the Civil Rights Cases we have been working with since the last report. Other Civil Rights Cases have been filed and are open and other cases shall be filed, but I shall not be relating any information regarding these cases until we take legal action in them. We have been busy in community action, but a report of these activities shall be preserved until next week or the following week. However, I want your permission, and Carl's permission for the following Affirmative Suits:

1) A suit against the State of Florida, on behalf of Carl Rowe. Here, there is discrimination against Negro Employees at the Chattahoochee State Hospital. I have prepared signed statements regarding each branch and working area in the Chattahoochee Hospital.

2) A suit against the U. S. Government, on behalf of Mrs. Pauline Palmer. Here, there is discrimination in the Extension Service of the Department of Agriculture. In the so-called compliance with Title Six (6), of the Civil Rights Law, they are terminating Negro Agents and their staff here in Florida. I believe I have a good test case in the person of Mrs. Palmer, who was hired as a secretary and typist, who has worked longer than some white employees, all of whom who are still retained. (She testified before the Florida Advisory Committee about discrimination in the Extension Service this July)

3) A suit against the City of Tallahassee on behalf of Spiver Gordon. for what

In each of these cases, I plan to file a suit, and at the same time, file a notice for taking depositions. It is possible that the cost of these suits initially may be $500.00 a piece.

My reference to "We" does not indicate volunteers, but only CORE SEDF.

Since [illegible] here — I have not been able to find nothing but 9 to 5 pm secretaries monday thru Friday.

Linda is inadequate — But I have spent very much time looking for a second and she is the best so far.

So I ~~shall~~ ~~have~~ had to hire "night time" ~~[illegible]~~ secretaries at a $1.00 per hour. I shall send receipts for re-imbursement.

Recd 11/16/65

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

November 15, 1965

Marvin Rich, Executive Director
CORE, SEDF
150 Nassau Street, Room 1312
New York, New York 10038

Re: Sadie Estelle Gordon Case
(See Nov. 5 Report)

Dear Marvin,

I have been informed by the Marshall's Offoce that Service of the Motion and Order to show Cause should be about $30.00. Therefore service of the Intervenor's Motion, Complaint, and Order should also be the same cost.

Pd Ck#170 - 11/22/65

OK

Therefore, please send me $60.00 payable to John E. Maguire, U.S. Marshall, Re: Sadie Estelle Gordon. Thank you.

Ck#171 - 11/22/65

OK

Also, enclosed are receipts for $24.00 worth of postage stamps, an endorsed check for $1.20 from the Marshall's Office, and A Memorandum for Public Voucher for Refunds concerning the Bigelow VS. Pridgeon Case.

24.40
1.20
23.20

Also enclosed are two other papers: a Memo rrom august 14 and Part I of the CORE, SEDF Report of November 5.

Yours truly,

John (s)

John

encl
J/l

John Due

November 15, 1965

Mrs. Ruth Berg, Secretary Treasurer
Tallahassee American Civil Liberties Union
Box 68
Tallahassee, Florida

Dear Mrs. Berg:

Without fee or compensation, I hereby agree to serve the American Civil Liberties Union as a C.O.R.E. (Congress of Racial Equality) Cooperating Attorney in North Florida, and in behalf of my personal self, I hereby enclose $10.00 for membership fee.

Yours very truly,

John D. Due, Jr.
Attorney at Law

JDDJR/lw
cc: Mrs. Florence Diffenderfer
Attorney Tobias Simon
Mr. Marvin Rich
Mr. Carl Rachlin

[Enclosed, Due to Rich, 1965, Nov, 15] Ced Rodilin

MEMO · [illegible] 14

([illegible])

TO Professor Arens (sp?) and Ted. and Bruce. Fri. [illegible]

I just received a long distance phone call at about 1:30 pm. The long-distance phone call was from Attorney Dick Silver and Mel Douglas (sp?) in the LCDC office in New Orleans. They can be reached at the number in New Orleans, which is under the name of Douglas, Ely, and Collins. Dick Silver and Douglas have just returned conferring with the Clerk of the Fifth Circuit. From what they learned from the clerk regarding expediting the matters, they are seriously advising us that we are proceeding incorrectly. The motion to expedite the appeal (Prepared By Carl's office: [illegible] will not be heard in the next few weeks because the Fifth Circuit is in summer recess, and therefore will not meet to consider the appeal. Therefore, the time they would sit to hear this motion, the grounds raised will be moot. The Court therefore advises them that if we want a hearing by the 23rd of August we must file a motion for injunctive relief pending the appeal. And then raising the same grounds which we raised in the motion for expediting the appeal with except, perhaps, the leading matters pertaining to ~~[illegible]~~ dilatory/(?) practices. The motion for injunctive relief, however, must say that the decision of the lower court was in error. The theory behind that is that there must be a possibility of success with the merits. (?) Secondly, which we already raised in our motion to extend time, we must raise the point of irreparable injury. For this motion and with this motion, there must be four copies to the court. It is my own personal opinion that maybe five copies to the court. We will therefore err just to send only one or two copies. With this motion there must be a complaint. What must be attached with this motion must be the complaint; the answer or response of the other side; and the order of the court. Also, they say that the practice down there is to write a letter with the motion, setting forth ~~effect~~ a factual summary of statement of the case, and statement of the law; and also indicate in a letter addressed to the four judges that included is this complaint. .... In other words, this letter must summarize everything in capsule form. I asked Douglas about my affadavit and he considered that the affadavit was not concise sufficiently for the practice of the court, which is busy. Of course this letter should also attach notice of appeal. Douglas indicated that ~~the~~ one of the other mistakes was that we indicated no time table. .....4) We should ask for the injunctive relief by August the 23rd, especially no later than August the 30th. (Before you have everything completed, read off a rough draft to Douglas and to Richards (

LeRoy and Nadine, I guess you are already informed that the Negro teachers in Holmes County have all been reassigned to different schools throughout the whole state. I know that you feel as I --quite disheartened by the fact that the teachers decided to acquiesce to this form of denial of equal protection of the laws. Moreover, this is a dangerous precedent to the extent that this gives comfort to the state of Florida that the counties may terminate Negro teachers in the process of so-called desegregation ...methods to avoid Title Six of the Civil Rights Law and the Fourteenth Amendment. Therefore, ~~[illegible]~~ for my resource purposes, I would appreciate very much if you could send me a copy of the complaint sent to Attorney Bowers on behalf of the Negro teachers in Holmes County . I am also gathering some information regarding consolidations of schools which in effect results in segregation. As soon as these materials are ready I will send them to you, and suggest that maybe you can file this through Attorney Earl Johnson's office. Yours truly,

John Due

copies:
Marvin Rich
Richard Haley
Spiver Gordon
Office Copy

Memo to CIG from John Due.

Mitchell Drew , owner of the telephone company in the city of Quincy, and Tom Maxwell, County Commissioner, are both ultimate leaders of the power structure of Gadsden County. These persons are John Birchers , are very active Republicans, are affiliated with the American Council Tallahassee Bookstore which is the John Birch front here in North Florida . Because of Core's work in Gadsden County, and because of being instrumental in organizing CIG, which is more and more becoming representative of the community, Mr. Drew and Mr. Maxwell have done the following in order to counter this influence:

(1) Have decided to make an all-out attempt to obtain and retain control of the Anti-Poverty Law in Quincy.

(2) ~~[illegible]~~ Have changed tactics of opposing the setting up of a bi-racial committee , but in effect have organized a bi-racial committee, wherin they designate the Negro and the white persons on this bi-racial committee.

(3) To organize this co-called bi-racial committee, they used ~~[illegible]~~ as a basis the churches here. In fact, the biracial committee is called ~~the main ... organization~~ is the association (without whole church participation) of churches. Mr. Maxwell had used a Negro friend to choose the safe Negroes, and then from these Negroes he chose a nominating committee which met secretly. ~~white committee,~~ Then a public meeting was held, inviting the so-called public to appear. The nominations committee report was accepted without a protest. The following officers of:Mitchell, Drew,(White) President Jesse King ~~(~~) VP (Negro), a tobacco plantation superintendant, Tamany ~~[illegible]~~ Call , Secretary, and George Bates, Treasurer., the last two persons being white.

Florida Core Office
540½ West Brevard St.
November 18,1965

Governor Hayden Burns
Governor State of Florida
Capitol Building
Tallahassee,Florida

Dear Sir:

On behalf of Mr. John Spradley, a Negor citizen of Tallahassee,I wish to register the following complaint:
On October 22,1965,on or about 4:40 p.m. Mr. Spadley was waiting with Mr. Roosevelt Young and Mr. John Mozeke to be paid at Bassett Pure Oil Station on Highway 27,

Mr. Spradley was shot by Mr. Sam Crowder,white male, at the Pure Oil Station. Mr. Crowder,was heard to say,"I'll teach,You Niggers how to respect a white man".

On November 11,1965,Mr Spradley,Mr.Young and I went into the District Attorney's office to have charges filed against Mr. Crowder. Mr. Spradley,asked that the following charges be levid:

1. Aggrevated Assult
2. Attempted Murder and
3. Defamation of Character.

The Charges were filed with the District Attorney's associate Ronnie Hayes. It seems that Mr. Hayes was more concerned with Core connection with the case in questioning Mr. Spradley, then with issuing a warrant for Crowder's arrest. Mr. Hayes told Mr. Spadley, he would have to investigate and would contact him in a few days. To this date Mr. Spadley has not heard a word from the District Attorney's Office.

I strongly request that you use the power of your office to find out why "Justice" is moving at such a snail pace

Yours for Action,

Spiver W. Gordon
Field Secretary
C.O.R.E.

November 22, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check, $60, payable to John E. Maguire, U. S. Marshal covering fees in the Sadie Estelle Gordon case
2. Check, $23.20, covering postage reimbursement. We have only sent $23.20 having deducted the $1.20 refund. We did not received the endorsed check.
3. Check, $1, covering postage reimbursement

Sincerely,

Hope Maynard

/hm
Enclosures (3)

P.S. Sorry about the delay.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

November 23, 1965

OK
MR

Mr. Marvin Rich, Executive Director
CORE, SEDF
150 Nassau Street Room 1312
New York, New York 10038

Dear Marvin,

Enclosed you will find the following bills to be paid:

1)	$87.50 for AB Letter Service
2)	$7.22 for Tallahassee Linen Service (half of which you might have already paid)
3)	$57.87 for the Lanier Company (I might have already sent a copy of this bill to you - check)
4)	$122.27 for the Hydro Gas Corporation, for heaters(the $10 deposit will be refunded when thru)
5)	$20.00 for the Lawyers Cooperative Publishing co.
6)	$3.00 for Barnes and Noble, inc.
7)	$10.30 for Dictaphone Corporation
8)	$26.86 for " "
9)	$61.49 " " "
10)	$1.50 for Clerk of District Court

Also enclosed is:

1) Payment book for Lanier Corporation for the Dry Copy Machine
2) 6 copies of my weekly report to be sent to the people you named in your letter of Sept. 2 - each copy has a name on it - I didn't have their addresses, so would you please send them off?

I will send the Dictaphone Lease agreement as soon as it is sent to us, they made a mistake by not giving us a copy. I just received the two lease agreements and am enclosing copies.

The same circumstances apply to the Dictaphone machines as apply to the Drycopy machine - am unable to meet the payments from my own pocket. I appreciate your taking on this obligation.

I know what you mean by writing and not phoning as I believe my "remarks" were conveyed to you over the phone and not in a letter, concerning the "begging" for the materials I need.

Love,

John

John
enc
J/l

P.S. The above "love" is not intended to be in a familiar sense -

FLORIDA - CORE, SEDF REPORT November 26, 1965

Vol. I LEGAL ASSISTANCE PROGRAM #13

I. JAMES GRADY CASE:

James grady, a Florida resident, has been indicted by a Georgia grand jury for manslaughter. It is immaterial as to whether or not he is guilty or innocent but what is material, is that James Grady, while home in Florida, Gadsden County, was abducted by the Sheriff of Grady County, Georgia, with the assistance of the Florida Sheriff of Gadsden County. Against his will and without his consent, James Grady was not "extradicted", wherein he would have the right to petition to the Florida Courts a Writ of Habeas Corpus, but was instead, taken to jail in Georgia where a warrant for his arrest was then issued by the Justice of the Peace in Georgia and was released only on bond after his indigent father was able to scrounge up the funds. James Grady was arrested in June, 1964. He was told to appear in September, 1964 for Arraignment. James Grady did appear in September, 1964, but at that time he was not proceeded against. The sheriff then told James he could go and stay until "next time".

In March, 1965, another "warrant" was issued against him and again he was "required" to return for the September Arraignment on September 15, 1965. James Grady did appear under force September 15, but again there was no court in session. The grand jury returned an indictment September 21, 1965 and then the bondsman, from Georgia, "arrested" James Grady and brought him back to Georgia, where there he remains to be "arraigned" in March, 1966. The Civil Rights or Civil Liberties issue here is that James Grady, in violation of the Federal kidnapping law, was abducted from the State of Florida by the Georgia Sheriff in collusion with the Florida Sheriff.

Federal

Unfortunately, the Writ of Habeas Corpus, which is the obvious remedy, is not simple. Frisby vs. Collins 342 U.S. 519, a case which is similar, seems to establish that a Writ of Habeas Corpus would not lie even if the petitioner was unlawfully arrested, imprisoned and abducted, contrary to Extradiction, Due Process Clauses of U.S. Constitution. Also Section 2254 of a Federal Writ of Habeas Corpus requires one to "exhaust state remedies". Of course a Writ of Habeas Corpus will lie, if there were a systematic inclusion or exclusion of Negroes on the Grand Jury. Also regarding exhausting state remedies, we have found that exhausting state remedies is not required under exceptional circumstances. In our exceptional circumstances, James Grady is an indigent and cannot afford costs, fees, and legal expenses - such as affording an attorney. The Seals Case, of course, will help us here. However, the exhaustion of state remedies doctrine meets us again in the rule that a federal writ of habeas corpus will not lie in advance of a trial in a State Court. Exparte Royalle, 117 U.S. 241. The anticipated arguement is that even an indigent can assert Constitutional issues before arraignment, there being no costs and expenses necessary. (in a motion to Quash?) I believe even the Seals Case can except this arguement, but I am in process of doing more original research before I file this petition this week.

We also propose to file a suit for the unlawful abduction under the Civil Rights Laws. I had a conference with Judge Carswell, U.S. District Court Judge in the Northern District of Florida, regarding the Pauper's Affidavit and the Complaint, which I had planned to file then. He stated that he would assume jurisdiction regarding the question of damages, but, of course, he advises that we should proceed in the U.S. District Court in Georgia. We are accepting Judge Carswell's advice and shall file both actions, the Writ of Habeas Corpus and the suit for damages, in the U.S. District Court in Georgia. Of course we want to file a warrant against the Sheriffs in Georgia and Florida for violating the Federal Kidnapping Law, 18 U.S. C.A. Section 121.

I have been further advised by Tony Amsterdam, Haveas Corpus and Removal expert, to file concurrent actions in State Court and Federal Court regarding Habeas Corpus proceeding, as was done in Shuttlesworth and Dresner cases.

II. ALEX H. WALTON CASE:

W. T. Edwards Tuberculosis Hospital officials admitted having segregated facilities to CORE and promised to comply with the 1964 Civil Rights Law. One of the things which they promised to do was to desegregate the restaurant facilities and to show that the facilities were desegregated by posting signs.

Then Mr. Alex H. Walton, the head cook at the Food Service Department and supervisor of cooks, complained to Mr. Winge, the Food Service Department Director, protesting his dismissing Negroes who ate over the former all-white side, and gave notice that he was going to sit on that side. Of course, Mr. Walton got a letter stating that he was going to be terminated on the grounds of reduction of force required by the lessening patient population.

The State Tuberculosis Board is giving Mr. Walton an opportunity to appeal the decision at the meeting to be held in Tampa, on Sunday, December 5, 1965. We have sent notice that we are appearing for Mr. Walton, and we are retaining a Court Reporter to record the proceedings.

III. MARVEL D. ZIMMERMAN CASE:

This is one of several cases and complaints which are coming into our office, demonstrating how the State fails to protect Negro citizens whose children are attending the newly integrated schools. One from Madison and one from Monticello are in the hopper, but the Zimmerman case is the furthest along in investigation work. Mr. Zimmerman has a young son attending the previous all - white Leon High School, in Tallahassee. The young Zimmerman boy has always been followed by a white youth who wanted the Zimmerman boy to fight. One day, this particular youth saw a friend in a Mustang Ford. He cried, "Hit the Nigger with your car." His friend did.

Mr. Zimmerman then retained Attorney John Rudd, who Tobias Simon of the ACLU probably remembers, Mr. Rudd being formerly a city judge in CORE cases. The City Prosecutor, Mr. Ed Hill, was also contacted. To this date there has been no prosecution of the youth who hit the Zimmerman boy.

The physical injury to the Zimmerman boy was very slight, not amounting to $10,000.00 in damages. But, the injury to the Zimmerman boy's dignity is immeasurable, this flowing from the State practice of not protecting Negro Citizens who are asserting their civil rights. We therefore, propose to file a suit against the City, similar to the Young vs. Davis Case, 1964 St. Augustine Case, if justified by complete investigation.

IV. THE GAINESVILLE BOYS CLUB CASE:

This was an easy one. The Boys Club in this city is a United Fund operation, but it receives funds from Gainesville and the city held the mortgage to the building out of which the Boys Club is operating. Despite the fact that they pledged to comply with the Non-discrimination in Federal fund-raising programs, (which means soliciting Federal employees and soliciting private persons on Federal Property) the Boys Club refused to take membership applications from Negroes on the same basis as they were taking applications from White persons, and were issuing membership cards to Negro applicants to use a Negro Boys Club which was not even in existence. But in the process of investigating the complaints, affidavits, etc., the "rumor of our suit" forced them to hastily comply and Negroes now have the same opportunity to belong to the Boys Club as Whites do. Our investigation and work there was on behalf of the Negro Plaintiffs, The Gainesvill Women forEqual Rights, and the Gainesville ACLU.

V. JAMES FORTSON CASE:

James Fortson was arrested for public intoxication and is serving 60 days for it on the work gang. Not only is this a Civil Rights case because there is no scintilla of evidence of his guilt, James Fortson was not provided an opportunity to have a counsel, being arrested late at night and being convicted early the next morning in the Justice of the Peace Court, Mr. Fortson is also suffering cruel and unusual punishment in that he is incarcerated in a segregated jail.

From the office of Tobias Simon, I just received his James Furgeson vs. T. A. Buchanan Complaint and order which he was successful in desegregating the Dade County Jails, which we can apply in this particular matter.

VI. MARY A. GREEN CASE:

It was released by the Office of Education, Washington, D.C., that Florida is the only State which has complied in all its Counties with Title VI of the 1964 Civil Rights Law. I am sure this is objected to by the Legal Defense Fund for the NAACP who were to handle the cases of the Negro Teachers who were terminated in Holmes County, Florida, on the grounds that their school was closed. Here in Madison County, Mrs. Mary Green is a Counselor to the Ninth grade students at Greenville Training School. Although Madison County is "in compliance with Title VI of the Civil Rights Law" as far as the Office of Education is concerned, orientation day was held for all the County's Negro teachers and staff at Madison Training School last August. The only white person there was was Mr. Bishop, the County Superintendant, and a couple of white members of the School Board, who "condescended" to be with their "Negro friends". Also on the program, was a Dr. R.W. Green, no relation to Mrs. Mary Green, who is president of the "Public Relations Council" which is suppose to enclose Alabama, Florida and Georgia. Dr. Green is a Negro who is alleged to have several doctoral degrees (from his own mouth) but by reliable information, whose main business is to pastor a small church in Columbus, Georgia. Dr. Green was the main speaker on the program. At first his remarks were innocuous, and pertained to the technical aspects of teaching, but soon he entered into a the question of integration of the schools. Green condemned the whole process of desegregation of Madison County Schools for the first time, because, he said, "You are not capable of it yet." He warned the people that they had better stay where they are, saying that they were not ready for it because they were still dirty people. He said that "You need to clean yourselves, powder your faces and shine your shoes." You need to learn to do all these things before you expect to be equal. Dr. Green stated that they are better treated in Negro schools. He reflected how he went to an integrated school in Ohio and therefore was deprived of the warmth and attention which Negro students get from Negro teachers. Therefore, indicating that he was sending all his children to segregated schools.

CORE and SCLC for their last program for the summer were assisting the student group for the boycott of the schools, so these remarks only added more ginger to the cooking. It goes without saying that Dr. Green impressed the School Board officials and he was scheduled to speak at all the Negro schools about the cause of integration. Dr. Green was scheduled to speak early at Madison Training School, before the Negro youths, but with the crash of the school boycott, the School Board officials backed down in sending Dr. Green to Madison Training School.

Dr. Green then was also scheduled to speak at Greenville Training School, but only after the school boycott had ended and things had quieted down again. This was a program originating in the Superintendant of the School Boards Office.

Mrs. Mary Green was scheduled to be on the program. Then at the last moment, everyone knew that the 9th graders were going to create havoc during Dr. Green's speech. Mrs. Mary Green was then told that she was to administer a 9th grade achievement test during the same morning of the speech by Dr. Green. Mrs. Green, who was to be assisted by other teachers who were also on the program, decided to give the test after the speech on the same morning. Dr. Green was hooted out of the auditorium, the students not allowing him to speak. The Principal then accused her of inciting the students to create the disturbance and also accused her of being insubordinate by not giving the test at the "same time".

Mrs. Mary Green was brought before the Superintendant of the County School Board and was found guilty, and he said that for punishment that he was going to advise the County School Board Officials to take her from her continuing Contract and place her on an Annual Contract.

We know exactly what shall happen and so do all the Negro teachers in the county who are supporting Mrs. Green. They know that once you are put on an Annual Contract, she can be terminated in the sense of not being "rehired" without cause or without a hearing. We know that if we idly stand by and allow her to be placed on an Annual Contract, we will have no Federal remedies under the Federal Civil Rights Law. The wife of Dr. Aaron Henry, a Mississippi NAACP leader, was not able to assert any federal remedies when she was on an Annual Contract, when she was not "rehired".

VII. ARAGO LEROY WELCH and MELVIN COLSON CASES:

At the request of the Gainesville ACLU, I received complaints from one Negro youth who spent time in the city jail for running a red light on a bicycle, and a complaint from another Negro youth who spent time in the County jail for writing a check with insufficient funds. Both of these institutions were also segregated, as they want us to apply the James Ferguson vs. T.A. Buchanan case to desegregate these institutions. However the facts may differ substantially. In the Miami case, there was an unlawful arrest in that the city was enforcing a statute "permitting" descrimination in public accomodations. Also the Ferguson complaint shows "present incarceration" in jail, and that shall affect us in the Gainesville complaint because of mootness of the issue since the two youths are longer in jail. Some original research is required to aviod the "mootness" defense, but it would seem that in a class action, "mooting" would not be a defense. Then too, if mootness is a valid defense here, it would be a valid defense in the publib accomodation cases and the 1964 Civil Rights Law which would be a mere annulity.

VIII. ARCHIE BRENTON, JOE LEE STARK, SAM CURTIS WARREN CASES:

These are cases referred to our office from the Tallahassee ACLU regarding state prisoners who were not provided the assistance of an attorney at the time of their arrest, investigation, and trial & therefore, in violation of their civil liberties. Although these cases are, of course, within our guidelines of civil rights and civil liberties cases, we expect to be swamped with these types of Gideon and Escobedo cases. I am drawing up questionaires to be mimeographed to be sent to these persons so that we can efficiently assist them to assist themselves.

As a sidelight, it was the FCLU which, during the first 5 years of this decade, came to the assistance of the CORE program of direct action, and ACLU cases helped lead to the 1964 Civil Rights Law.

CORE gave birth to CORE - SEDF, which was established to enforce these new Civil Rights principles and new Civil Rights laws in the community. Because there are no ACLU cooperating attorneys in Florida, Except in Southern Florida, we are very happy to cooperate and to assist the ACLU in their program, in appreciation for what the ACLU has already done in cooperation with CORE and other civil rights groups.

finis

November 29, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

We have a few questions with regard to the Dictaphone Corporation bills which you sent for payment in your cover letter of November 23.

1. Contract for the Transcriber - The date of the purchase is May 27, 1965. Have you made any payments? If so, please give me details.

2. Lease of Dictating Equipment - This lease has two rental charges, $67.64 for the first five quarters, and $61.49 for the next seven quarters. The bill you sent us indicates $61.49 due. As I see it, $67.64 should be paid now and for the next four quarters. (However, I will send only $61.49 and ask Dictaphone Corporation for clarification.) Have you paid any previous charges? If so, please give me details.

I would appreciate receiving the above information as soon as possible as these bills are already overdue.

Thank you.

Sincerely,

Hope Maynard

/hm

December 1, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Your salary payment for period ending December 3rd - $212.34

2. Linda Weintraub"s salary for period ending December 3 - $92.98

3. Check in amount of $150 for December car use

Also enclosed are two copies of a memorandum which is self-explanatory. Please give us the information requested as soon as possible.

Thank you.

Sincerely,

Hope Maynard

/hm
Enclosures
n

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

December 2, 1965

Hope Maynard
CORE, SEDF
150 Nassau Street, Room 1312
New York, New York 10038

Dear Mrs. Maynard:

In reply to your letter of November 29, 1965, here is the information you requested with regard to the Dictaphone payments: (we have made)

1) $50.77 on May 27 for rental
2) $67.64 on May 27 for lease
3) $41.07 on August 6 for rental and belts
4) $29.00 on August 12 for service guarantee

I hope this is sufficient. I have enclosed 3 cancel checks also, cannot find the fourth one.

Sincerely yours,

Linda Weintraub

Linda Weintraub

/lw

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

[illegible] Fla.

December 8, 1965

Postmaster General
United States of America
Washington 25, D.C.

Dear Sir:

On behalf of Mrs. Grace Hardy, I strongly request that your office conduct an investigation into the mid-night acts of vandalism on her mail box. Her mail box was torn down and thereof is dented in such a fashion that future use is impossible. Furthermore, several more Negro citizens of Jefferson County, Monticello, Florida, have been victims of the same acts of vandalism against their mail boxes.

For example, during the month of October, this year, Mr. Willie Gallon, Mr. George Siplin, Mr. Johnny Webster, and Rev. Hayward, mail boxes were also torn down and destroyed on several different occasions.

Unfortunately when several young white boys were caught in the act of destroying the Gallons mail boxes and were turned over to the local authorities the boys were not punished. Consequently, the said acts of vandalism continued.

The above named Negroes have been in the forefront of the local civil rights struggle. Accordingly, we feel that the acts complained of are forms of intimidation and harrassment approved by the local power structure for such.

Your immediate attention to this matter is greatly appreciated. These forms of intimidation must not receive your sanction! Your intervention will remove all doubt.

Yours for action,

Spiver W. Gordon
Field Secretary, CORE

cc: Attorney Carl Rachlin
Mr. Richard Haley
U. S. Department of Justice
U. S. Civil Rights Commission
Mr. Thomas Braswell

THE UNIVERSITY OF MICHIGAN
LAW SCHOOL
HUTCHINS HALL
ANN ARBOR, MICHIGAN 48104

DEC 9 1965

Carl Rachlin, General Counsel
CORE
38 Park Row
New York 38, New York

Dear Mr. Rachlin:

I am Faculty Advisor to the Michigan Chapter of the Law Students Civil Rights Research Council.

Students here are anxious to do legal research to assist attorneys handling civil rights cases. If our students can be of assistance to you, they would be grateful for the opportunity to serve.

Yours very truly,

Robert J. Harris

Robert J. Harris
Professor of Law

RJH:lkj

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

December 10, 1965

Mr. Marvin Rich, Executive Director
CORE, SEDF
150 Nassau Street - Room 1312
New York, New York 10038

Dear Marvin,

Enclosed you will find the following:

Pd Ck #274 12/14/65

1) A bill for $126.32 from I.B.M. for the electric typewriter lease agreement. If the actual Lease Agreement is not enclosed, I will send it to you as soon as a copy is sent to me. This typewriter is the last of the three pieces of equipment to be paid on. I would appreciate it greatly if you would assume this expense.

Pd

2) A bill for $20.60 from the Lawyers Co-operative publishing Company, which I have already mailed to you. They billed me again. Have you paid it yet?

3) A Civil Liberties Docket subscription which I would appreciate you sending in along with the $20.00 for the two volumes, as explained in the brochure.

Pd Ck #276

4) Also, please send a check for the sum of $15.00 payable to Mrs. Laura L. Lamb for services in typing multi lith Habeous Corpus and Motion to Quash Forms.

Thank you kindly.

Yours,

John

John

J/l
Enclosures

p.s. Also enclosed are the copies of two , the only two, payments made to I.B.M. for your records.

PHOTO & SEND COPY TO MARVIN ALONG WITH LETTER

Done. L.F. 3/1/66

R. F. JOHNSON
OFFICAL COURT REPORTER

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROOM 320
FEDERAL BUILDING
TAMPA, FLORIDA

PHONE 229-1210
P. O. BOX 3270

DEC 13 1965

December 11, 1965.

DEC 13 1965

Mr. John D. Due, Attorney at Law,
540½ West Brevard Street,
Tallahassee, Florida

Dear Mr. Due:

Hearing in re. Shenezia Rivers--
Southwest Florida Tuberculosis Hospital.

Since the hearing last Sunday I have had time to again go over my notes in this matter and I am quite sure that $300.00 will cover the cost of the transcription.

You can send that amount on to me and we can adjust whatever difference there is one way or the other, and I will go ahead with making the transcript.

With best wishes, you and yours, for a good Christmas, I am,

Yours very truly,

R. F. Johnson

R. F. Johnson.

260
400 pages

Sent

Marvin:
See Alex Walton Case
Rept #13 Nov 26

THIS IS AN IMPORTANT CASE!!!

Called N.Y. Jan. 24/66 - $300.00 sent.

L.F. Jan. 24/66

December 15, 1965

Mr. John D. Due
540 1/2 W.Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Your salary check for period ending December 17, $221.40 (The amount has increased due to Social Security Tax not being withheld)

2. Check for $11.73 to your order representing refund of Social Security Tax withheld

3. Linda Weintraub's check for her salary, period ending December 17

Sincerely,

Hope Maynard

/hm
Enclosures (3)

Send letter
to Marvin

12/16/65

Dear Mr. Due:

With reference To purchase of Books for your Law library;

We can place sets of Books in value up To $1000 in your library on an initial payment of $100 and Monthly payments of only $30.

This would be an expenditure of only $460 yearly, ~~[illegible]~~ and should fit well within your budget.

Cordially
M. A. McAlister
West Publishing Co

Marvin:

For warded for your information and action. Thanks.

John D. Due

December 16, 1965

Mr.John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am really a little bit concerned. Now I find out that we have a bill for $126 for an electric typewriter. Why didn't you tell me this when I was in Tallahassee. We lease-purchase electric typewriters at $15 a month. I would like to know how much you have paid on the typewriter and how much is still owed before we assume any liability. We cannot pay more than the going price for equipment.

We have already paid the Lawyers-Co-operative Publishnng Company. We will pay for the Civil Liberties Docket subscription.

Please do not purchase any additional office equipment that costs above $50 unless you plan to pay for it yourself.

Sincerely,

Marvin Rich

MR:hm

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

Rec'd
12/27/65

December 21, 1965

Mr. Marvin Rich,
Executive Director,
CORE, SEDF
150 Nassau Street, Room 1312,
New York, N.Y. 10038

Dear Marvin:

Pd this on 12/15 ending 12/17

This is to inform you that Mrs. Linda Weintraub was absent from work for 1½ days during the week of December 12 to December 18. She compensated for part of this time by working one evening, so it may be fair just to take one day off her pay. She also terminated working for CORE, SEDF on Friday December 17.

Pd $20 to [illegible] Ck # 299
Pd $24.80 to LF Ck # 300

I have begun to employ Mrs. Laura Ferguson part time, pending the approval of the Immigration authorities granting permission to work . She worked 28 hours during the week of December 12 to December 18 at $1.60 per hour, earning a total of $44.80. I paid out of pocket the sum of $20.00. Will you please reimburse me with this amount ($20.00) and send Mrs. Laura Ferguson a check to cover the balance of $24.80. As discussed with you, Mrs. Ferguson is employed at $75.00 per week starting Monday December 20, 1965.

Pd

Also, I received a call from the office of IBM informing me that they have not yet been paid the rental of their equipment for the period August to January and would appreciate an immediate settlement of this account. This account is supposed to be paid in advance, so under the circumstances we are in arrears with the payment for two quarters. Would you kindly settle this account as soon as possible.

Thanks.

Yours truly,

John.

lf

P.S. Linda was absent because of sickness.
We all get sick some time. John

Also, enclosed is a copy of receipt signed by Mrs. Ferguson indicating amount received and balance owing.

December 21, 1965

Dictaphone Corporation
375 Howard Avenue
Bridgeport 5, Connecticut

Gentlemen:

Enclosed are three checks to cover the following charges incurred by John Due, our Counsel in Tallahassee, Florida.

Check for $122.98	Covering rental of dictating equipment for periods beginning August 27, 1965 and November, 1965
" " 26.86	Annual maintenance charge on rental equipment
" " 16.90	Current month's installment on transcriber (on this payment, we would appreciate receiving a full acount of what amounts are due, if any, so that we can clear up the matter.)

We are sorry that these payments are so long overdue, but we have just received the information from Mr. Due.

Sincerely,

Hope Maynard

/hm
Enclosures (3)

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

December 27, 1965

Mrs. Hope Maynard
CORE, SEDF
150 Nassau Street, Room 1312
New York, New York 10038

Dear Mrs. Maynard:

I am concerned about Social Security Tax not being withheld from my salary for the period ending December 17, 1965. Did I make such a request, I do not remember; if I did not, would you be kind enough to inform me of the reason for such action on your part.

Thank you kindly.

Yours truly,

John D. Due, Jr.

:lf

December 29, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are four checks as follows:

1. Check, $221.40, covering your salary for period ending December 31
2. Check, $20, covering reimbursement for partial salary payment to Laura Ferguson
3. Check, $127.16, to Laura Ferguson, covering salary for two weeks ending December 31
4. Check, $24.80, to Laura Ferguson, covering balance due as salary for week of December 12-18

Will you please have Mrs. Ferguson fill in the enclosed W-4 form, which we need for our records.

I received your letter with regard to Social Security Tax not being withheld for period ending December 17. As of that date we withheld $185.73 which is in excess of the $174 allowed for each calendar year. (3 5/8% up to $4,800) Thus we sent you a check $11.73 and did not withhold funds for Social Security tax. I hope this clears up the matter.

We have also paid all outstanding bills of IBM.

Sincerely,

Hope Maynard

/hm
Enclosures

P.S. We will begin withholding Social Security taxes for you with the first salary payment in 1966. There will be an increase. (4.2%)

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

December 30, 1965

Mr. Marvin Rich
Executive Director
CORE, SEDF
150 Nassau St., Room 1312
New York, New York 10038

Re: City of Madison vs David Dukes et al

Dear Marvin:

I have returned herewith, Check Nos. 868 to 874, inclusive; check No. 877 and Check No. 924.

Upon second thoughts, we decided not to appeal the case. The facts didn't justify the effort to preserve the constitutional issue.

875 + 876 - nos. not used
not here

Yours truly,

John

John.

dated aug 11
Why the delay?

Checks voided

1. Swimming Pools and other public facilities

a. Does it make any difference whether pools are a government function or a corporate function? No

b. Under Florida Law, are swimming pools a government function? Why is this relevant

c. What is the test for a non-bonafide sale by the city, of its golf course, to a corporation. N

d. What is the recent authority involving the leasing of public facilities to a private corporation.

2. School Desegregation

a. How to restrain expenditure of funds received from the Office of Emergency Planning to build a public school when School Board practices a policy of racial discrimination (Live Oak-Suwannee County) see [illegible] this

b. Are the funds released to the Office of Emergency planning without any conditions, so that Washington can not terminate their expenditures? (Live Oak-Suwannee County) Complain to OEP & see what happens

c. Can we receive any kind of administrative action or court action to stop the expenditure of funds in Live Oak-Suwannee County.

To: Carl Rachlin

From: John D. Due, Jr. Florida Counsel

Subject: Weekly Report - week ending May 8, 1965

I Public Facilities

I decided to expand the swimming pool case into an omnibus suit including all of the public facilities in Tallahassee which discriminate. Not only is the Tonkins vs. City of Greensboro against us where a city pool is already closed; the rule here is that a court has jurisdiction only if discrimination occurs in the operation of a public facility. It would save time and litigation expenses to have an omnibus suit and of course, the model successful omnibus suit regarding public facilities, is a Florida case, Hampton vs. City of Jacksonville. This is the explanation for the delay in filing of the suit.

Florida Field Secretary, Spiver Gordon, has reported discrimination in the use of the restrooms in Tallahassee City Hall, after another test there has been a conflict, so testing has to be pursued to find whether or not there is discrimination.

The other "facilities" discriminating are the golf courses. The dodge here has been a sale or a lease to a private corporation. Of course no one can play golf unless one is a member, and of course they refuse membership to Negroes. We are in the process of gathering information about the lease and about the nature of the corporation to which the golf course has been transfered.

Tallahassee Memorial Hospital also is believed to discriminate. I have not made up my mind as to whether or not to join the case against the Tallahassee Memorial Hospital with our public facilities omnibus suit. What do you think, Carl? Ann Fagan

Ginger suggests that it may be wiser to bring one suit seeking desegregation of all publicaly owned recreational and cultural facilities and to bring seperate suits where there is discrimination in hospitals and governmental practices. Tallahassee Memorial Hospital has failed to sign a Title VI Compliance Pledge, claiming that they no longer receive Federal funds. Spiver Gordon is to have an interview with the Superintendent of the hospital, (he has already tried on two occasions to obtain an interview) in order to find whether or not the hospital intends to desist from their policy of discrimination or to find whether or not they admit they discriminate. On the question of a suit against public facilities, I confered with Dennis Roberts, an attorney in C. B. King's office, and received in the mail upon my request a copy of Earl Johnson's hospital complaint.

Addendum: Because of the complicated issues-Carl proposes that we not have an omnibus suit(5-10-65) but initiate "one" suit.

II School Desegregation

Thursday night I picked up Sidney Daniels, a former CORE task force worker who did some investigation for me in Live Oak, Suwannee County. In the last two reports I have referred to the situation in Suwannee. But in summary, because the all white high school in Live Oak, Suwannee County was destroyed by the flood from hurricane Dora, the President of the Untied States promised money to build a new high school. In April the newspapers reported that Suwannee County was angry because the Office of Education had held up funds on grounds of HEW not having accepted the Live Oak Compliance Plan. Soon after, we read how, after intervention by the Govenor, the two Senators, Congressmen, and the Superintendent of Education etc., the county was receiving its money. We then went to the State

write Podup on this

Office of Education and photocopied the Suwannee County Desegregation Plan and desegregation plans from other counties. We soon saw that the Suwannee County Plan was nothing but a "free choice" plan, which continued the initial policy of segregation of the schools. It therefore appeared that the Office of Education had accepted this plan. I called the office of Franses Keppla, United States Commissioner of Education, for an appointment in Washington, D. C. for Reverend J. W. Jenkins, President of the Live Oak NAACP. By the way Reverend J. W. Jenkins is a very active, militant Negro gentleman, who is 85 years old. I was not able to speak with Mr. Kepple, but was able to speak with Mr. Lesser, Director over schools and desegregation. He alleged that the Office of Education had nothing to do with the funds received by Suwannee County. He claimed that this was the jurisdiction of the Office of Emergency Planning, a seperate agency. I therefore called both the regional office and the Washington, D. C. Office of Emergency Planning. I spoke to Mr. Mordicai Merker, legal counsel to the Office of Emergency Planning. He admitted that it is true that OEP did have jurisdiction over the money. When I asked him who held up the money, it being therefore reported that the Office of Education held up the money, he alleged that it was Congress that held up the money. He also claimed that the money has been sent to the county. I stated to him that Reverend Jenkins wanted to protest and to return the money to the Federal Government. Merker is to call regarding the appointment on Monday. I shall write a letter of protest on behalf of CORE and Live Oak NAACP protesting the desegregation plan.

Friday I received the retainers from the Negro parents in Jefferson County who want my assistance. I shall write a letter to them setting up a meeting early next week. This will be my first meeting with these plaintiffs regarding school desegregation.

Commentary: The fifth circuit has not yet declared the so-called 'free choice' pupil assignemnt plans to be illegal. The Legal Defense Fund has several on appeal. Despite the fact that the local Federal Judges are choosing 'free choice' school decrees, claiming that other wise it would be forced integregation, it might be wise to file a suit. By the time the case came to a hearing the fifth circuit may require rules at least as stringent as the Office of Education.

Regarding Liberty County, representatives from this area, at the Ninth Congressional CORE meeting, are also greatly concerned with school desegregation. Very few Negroes live in Liberty County. The all-Negro, Bethune High School has only 100 students, whereas there are four large white high schools in Liberty County. Of course, the Negro high school has inadequate facilities, and doesn't even have a science department. Beyond discrimination, there is common knowlege that teachers, in order to be hired, have to kick back their salary to certain people on the School Board. Spiver Gordon is going to arrange for me to meet with the Negro Liberty County PTA early next week.

In Jefferson County, after my interview we may file a complaint to desegregate the schools there.

Regarding Liverty County, because the Negro community is small, CORE, when it has a larger task force in this area, will carry on a massive application for transfer drive.

III Public Accomodations

Thursday morning I was informed that the Chattahoochee bus station, although stating to the FBI and to the press that they no longer discriminate, and further stating that the test team which came in refused to order anything, again refused service. When I complete work on the Public Facilities Suit in Tallahassee I will then begin to put the Public Accomodations complaints including the Chattahoochee Bus Station, all in one civil rights public accommodations suit. What do you think about this Carl?

IV Discrimination in Employment

I have read in the newspaper how representatives of the Merit Employment Service, (the State Civil Service) have been to Negro high schools on Career Days, but there remains a question of discrimination in public employment here in Florida. Therefore, one of the reasons I went to Gainesville Thursday afternoon is to meet with Gainesville CORE who had been running a test project on employment at the local U. S. Employment Offices. See complaint and report in my first weekly report pertaining to Gainesville CORE. Unfortunately, though hopefully only temporarly, they have terminated their active projects.

V Gainesville CORE Commentary

The people in Gainesville CORE have gone in two seperate directions. One group, headed by former CORE task force worker Steve McVoy have been involved in organizing a non-CORE tutorial type community center. The other, headed by Judy Benninger, also a former CORE task force worker, are university oriented and are involved in the peace movement and the free speech movement. I believe this seperation is only temporary, and they can be brought back together in a much more affective CORE movement, at least by next month when more task force workers are available to work in this area. Because it is a drain on my physical resources to run back and forth to Gainesville, Judy is arranging that I might be able to have a sub-office in the

Freedom Forum, it may also be used by volunteer law students or lawyers who desire to assist me.

The problem in Gainesville is of course discrimination in employment, and typical northern type problems of discrimination towards Negroes at the University. There is also much need for organizing corporations and cooperatives for poverty people, as well as the need for a community lawyer.

At the CORE regional meeting, Reverend Steele, Tallahassee SCLC, stated that he believes that there is discrimination by the welfare department, although they signed a compliance with Title VI. This of course has to be investigated.

VI War on Poverty

Sunday, Sidney Daniels and I spent the day in Panama City attending a meeting of the Division of Economic Opportunity, Office of the Govenor. This was the first of regional conferences held throughout the state of Florida. Dr. Sam Hand who is State Director of the Division of Economic Opportunity now has an integrated staff. I also observed that Mr. Earl Redwine the Southeast Regional Director of CAP also has an integrated staff.

Available now, from OEO is a Community Action Program Guide, which was distributed at this meeting, it provides instructions for developing, conducting and administrating programs.

The poverty meeting was held at the city auditorium and it was well integrated, but very poorly representative of the poor community or of civil rights organizations. Most of the people who were there were State or Federal employees, such as Federal extension agencies, or Welfare Department people. It was emphasized over and over again, the necessity that policy making positions should be broadly representative, and should include the people to be served. This was especially emphasized by Mr. Lester Fox of Mr. Redwine's staff.

Returning to Tallahassee, Sidney and I stopped in Gulf County, we met with of his home town people, and discussed the initial steps toward a region-wide CAP.

Gulf County is only known for the St. Joe Paper Company. The St. Joe Paper Company is a company which is owned by the Delaware-Dupont family. This company and family ownes almost all of North Florida. At the CORE regional meeting, Saturday, people from Liberty County complained how the St. Joe Paper Company has been trespassing and unmagnamiously paying the land taxes of the Negro land owners. Newspaper reporter, Robert Sherrill has already exposed one angle. He wrote an article showing the ridiculously low tax assessments the paper company has been required to pay on the land they own (or steal). I hope to procure more law students at least for a short period of time in order to study official records showing land transfers to the St. Joe Paper Company. How about it Antler?

Thursday I took Mr. Lindsy Reed to Gainesville in order to appeal the denial of his application for a loan from the Farm Homes Administration. As stated in my second report, a party loaned Mr. Reed's father, $6500 dollars at a high rate of interest 10%. His father, without an education and also because of illness, payed a large sum of this money back, but failed to get a receipt for any payments. Default is now claimed and the party to whom all these mortgages have been transfered to, is now threatening to foreclose. Mr. Reed has been attempting to get satisfy all of the real estate obligations, two, an operating loan, in order to put in fertalizer, fencing and ets. He has been refused a real estate loan by the committee on the alleged grounds that he could not make the farm pay. Of course without this real estate loan he can not procure an operating loan. State people therefore informed us that we had to go back to the local county committee of FHA for their review. Mr. Lindsy Reed is to meet with them Wednesday. Seeming to be a hopeless case, I shall call Jac Wasserman of the National Sharecroppers Fund for further information or advise. It is becoming more and more certain that local FHA agents, local FHA committees, in conspiracy with twilight zone money lenders, are discriminating and removing poverty Negro farm owners.

VII Future Plans

Monday morning, I am going to work with the Suwannee County situation.

Tuesday night I shall be in Monticello and shall meet with my school desegregation plaintiffs in Jefferson.

Wednesday night I shall meet with the local branch of NAACP in Madison and with a CORE task force worker regarding OEO, Titles II, III, IV, and VII of the Civil Rights Law.

Thursday night I shall meet with Spiver Gordon in Perry, Taylor County pertaining to the CAP and school desegregation.

I hope also to have completed the investigation for the public facilities suit so that I can begin to work on the public accommodation complaints.

[illegible] 3 1966

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

December 31, 1965

Mr. Carl Rachlin
Legal Director
CORE, SEDF
38 Park Row
New York, New York 10038

Dear Carl:

HELP!!!

I'll need help down here for a three or four week period commencing no later than January 7, 1966, or sooner if you can. See past reports. For instance -

Tallahassee vs Spiver Gordon - 1. Preparation of Appeal.
2. Research and Preparation for Affirmative Suit.

Monticello vs Brian King - Preparation of Hearing and Motion to Remand.

Fortson vs Gadsden County - Preparation for immediate hearing.

Calhoun vs State of Florida - 1. Habeas Corpus.
2. Affirmative Suit.

Walton vs State of Florida - Investigation and Preparation for Affirmative Suit.

I'll require another attorney for all of the above which have to be done within the month of January.

[1965]

JOHN D. DUE LAW OFFICE

CASES

BEASLEY, STEVE
drew up lease for his renting in this building

BELL, CARRIE
stopped for speeding, beaten, imprisoned; petition written for dismissal of police officer but never signed

BENNETT, JEWEL
defendant in small claims suit; lost;

BIGELOW, BILL
CORE worker beaten up by whites; trial held for whites;

CARROLL, HEZEKIAH
accused of blinking car lights at white girls; caase dismissed but bail money kept

CLARK, ARTHUR
is claiming ownership of land on which is a Baptist Church; motion to dismiss is granted to Church; no amended complaint filed; final judgment hearing next week

CRUTCHER, ADDIE AND J. THOMAS
petition for adoption filed and accepted

CRUTCHER, WANDA (minor)
REQUEST FOR PUPIL TRANSFER TYPED UP AND GIVEN TO PARENT

CROMWELL, OLLIE
seeks enforcement of divorce decree giving her $15. per week, etc

DAVIS, BERNICE
made oral agreement to pay $200. for car, $100 at purchase and $100 in month if car satisfactory; car needed repair before month up therefore DAVIS refused to pay other $100; car towed away

DAVIS, IDA BELLE
mother of four children who wants to file paternity suits

DOZIER, MILTON
accused of four counts of forgery; pleaded guilty, put on probation

DUKES, DAVID
CORE worker arrested for disturbing the peace; convicted; appeal filed

DUKES, DAVID et al.
attempted to integrate Cherry Lake beach, were refused; property was conveyed from Fed. Gov't to Madison County for public use

FLOYD, BLANCHE
after four days of asking for help, had miscarriage in jail;

FORTSON, JAMES
charged with assault with intent to kill; pleaded temporary insanity; was adjudged mentally incompetent and committed to hosp.

GAFFANEY, REV. MAJOR
charge with several traffic violations while driving Negroes to register; one dropped; trial in September

GAINER, EDDIE RAY
did body and paint work onnsix trucks; man would not pay until he fixed door on sixth truck, GAINER said it's not in contract; man towed truck away

GORDON, SPIVER
arrested for reckless driving; trial in September

GEISON, MIKE (Legal Defense Fund)
arrested for reckless driving while driving Negroes home from registering (is white CORE worker); petition for removal filed in July of 1964; are preparing motions to dismiss

GUTTERMAN, MIKE
given three traffic tickets whil working for CORE; went home next day; trial in August

HARRIS, CHARLIE
hurt back while working, bills not paid by company; one doctor told company he could work, another said no; receives $15. less than supposed to from Workmen's Comp.

HARRIS, CHARLIE
was refused sm. bus. loan

HARVIN, PEARLENE
was refused unemployment comp. because she had not accepted work she was incapable of doing; appeal filed at Fla. Indust. Comm.

HILL, WILLIAM
charged with incest; found guilty and sentenced to mental hosp; released in four years when Judge agreed to nolle prosse wants to repoen case , was held without bail

HOPKINS, COLEMAN
hand permanently damaged in factory whensomeone turned on machine; should get more than $60. every two weeks

HOWELL, ROBERT
arrested for carrying concealed weapon; motion for bill of partic. filed; wanted to leave town therefore pleaded nolo contendere with desire for weapon; case dropped, but HOWELL charged $50.

KELLY, J. Q.
OWNER of Jitney Jungle (store) was thanked publicly for his contribution to the cause; in two weeks was picked up for vulgar language and drunkenness; found guilty; case transfered to Dexter Douglas, Esq.

KELLY, THOMAS
arrested for interfering wihh an officer inline of duty and threatening to do harm to an officer; motion for bill of partic. filed

KING, BRIAN
CORE worker charged wiht public drunkenness while distributing mass meeting leaflets with other workers; sent notice of removal

McCALL, JESSIE (Legal Defense Fund)
refused service at 3 accomodations; arrested for trespassing; petition for moval filed in August of 1964

McKELVY, KING DAVID
stopped by trooper who asked for license, was told to follow him cause he lacked license;MCKELVY followed for a while, then stopped car and ran; was shot at and put in jail; charged wiht no license, reckless driving, resisting arrest, and unlawful flight; given 55 days or $185.; no action taken

McKINDRA, FREEMAN
charged with profanity while trying to integrate beach in St. Augustine; notice of removal filed

McNEALY, JAMES
charged with unlawful premeditated murder; found guilty, given 16 years; motion for new trial filed; motion withdrawn

MILLER, WALTER LEE
while in jail for speeding charge, was told he owed $335. from a debt, $185. from Western Auto, the other unknown; Deputy Sheriff told his mother to get Western Auto bill OK'd and he would let Walter go for $50; when she returned with bill and $50. Judge accepted check but refused to let Miller go;

MOSELY, GWENDOLYN
wants to file divorce suit

PINKNEY, GENE et al. (Legal Defende Fund)
charged with disturbing the peace while singing freedom songs in a car; petition for removal filed in July of 1964

REED, LENZY
was refused FHA loan which would have been used to pay off money obligations on the farm,therefore avoiding foreclosure; we filed motion to dismiss; motion was denied; filed an Answer

RHYNES, LESTER, JR.
put in jail, not allowed to call anyone, never told date of arraignment; State Attorney told us charges were Forgery and Uttering; Rhynes decides to plead guilty

ROBINSON, ANTHONY
divorce suit filed

ROBINSON, WILLIAM
asked us to file 5 sm. claims suits; letters written to two persons

STEELE, ROCHELLE et al. (Tallahassee Swimming Pool Suit)
city pools were closed the day after four Negroes tried to integrate them; complaint filed; they filed motion to dismiss; we filed motion for temp. restraing order and preliminary injunction; order of dismissal given; appeal filed

THOMPKINS, BERNIE
sm. claims suit filed for him

WAHHINGTON, AFONSA et al. (Legal Defense Fund)
four Negro minors charged with trespassing when they attempted to integrate a theatre; petition for removal filed in August of 1964

WEAN, CHARLES
white CORE worker backed into police car; charged with failing to use due car to avoid an accidnet and damaging public property; arraigned, but case continued because he never received a warrant; case continued to this week

WILLIAMS, JAMES
partnership drawn up for him

ADDENDUM: CASES IN PROCESS OF BEING PREPARED FOR DOCKET

BATHRICK, RICHARD
SCLC worker assaulted by whites in St. Augustine; suit to be prepared

FRAZIER, WILLIE JAMES et al.(7 minors)
arrested with David Dukes and found "delinquent"; to be appealed; see David Dukes case

FOREHAND, CHARLES et al.
Negroes in Gadsden County can register only on Mondays; after receipt of funds and making amendments indicated by Carl Rachlin, we shall file suit

IRVIN, JAMES
Negro in Man-power Retraining Agency discriminated against in Gainesville; suit to be filed

PUBLIC ACCOMODATION CASES
Havana Truck Terminal; Clark Motor Court; Apalachicola Motor Inn; all to be tested by CORE this week to substantiate case

SCHOOL CONSOLIDATION CASE
Gainesville is considering the consolidation of schools which might result in segregated schools

[1965]

1725 K NW.

Podunz —
Allan Lesser of Office of
Education

Wester

Conference in field —
NAACP — agreed to letting
money go through

Signed in December
50% goes through
locality pays other half

Wester says rec'd usual
compliance form
County submitted a plan —
won't tell us what it is

Comm'r permits free choice
plan

[1965]

AN APPEAL TO THE GOVENOR AND THE LEGISLATURE OF THE STATE OF FLORIDA

WHEREAS, history dictates that no assembly of men can govern by merely avoiding the social questions of the day, closing their eyes, by not speaking out, by not hearing;

WHEREAS, the message by the Govenor to the Florida Legislature on April 6, presented no affirimative program to deal with the needs of the people;

WHEREAS, according to our information and belief, there is no concern by the new 1965 legislature to, on their own initiative, present and enact a meaningful program which shall serve all the citizens of the State of Florida. WE, THEREFORE, appeal to you our govenors, our representatives, to carry out your oath, to the State and to the United States, to serve the people and enable us to support you in good faith without the need to protest, without the need to cause conflict and to make those laws which shall achieve the following: (1) a law which shall achieve the immediate and complete desegregation of all the public schools in the State of Florida, including the pupils, faculties, administrators and employees, and that such plans of desegregation shall not allow the result of racial imbalance. (2) a law which shall achieve accreditation of all the public schools of the State of Florida, and which shall assist financially the public schools of those counties who are of such disparity, as not to be within 20% of the standards of the highest accredited schools in the State of Florida. (3) a law enacting that it is a crime for the county assessors of the State of Florida to willfully assess property less than its full value. (4) a law which will give authority to counties to participate to the fullest extent with the Economic Opportunity Law of the United States and all other Federal programs, that the counties will have authority and power to enter into agreements with other counties, and that the counties have the power to exercise corporate functions. (5) that a law be enacted to provide fair labor standards to all those employees excluded by the fair labor laws of the United States, and that the State of Florida provide those minimum standards which are at least equal to the standards and protections provided foreign farm workers in the United States. (6) that a law provide a minimum wage of $1.25 per hour, or a minimum wage for those employees working by the piece rate, which would achieve a similar result of $1.25 per hour, for all those employees not covered by the Federal Minimum Wage Law. (7) that a law provide workman's compensation to be extended to all employees of the State of Florida including agricultural workers. (8) a law providing for a State Welfare program to provide assistance to residents of six months or more, such assistance to include medical and hospital care. (9) a law revoking the present right to work law. (10) a law amending the present voting law, which shall include the following (a) the provision, requiring that ones civil rights be restored, be revoked (b) that upon the petition of 25 electors of the county, stating the need, the Registrar of the county appoint deputy or volunteer registrars who shall have the duty to go into the community to seek the registration of the non-registered. (11) a law revoking capital punishment. (12) a law amending the present State Child Labor Law, with respect to agricultural workers, to include: (a) the establishment of a minimum age of fourteen (14) years of age for children working outside school hours and during vacations, (b) the deletion of the parental exemption, (c) state assistance be provided for the education of children of migrant workers and such state assistance to include intensive education for the purpose of remedying their disparity with their contemporaries. (13) a law providing for the non-discrimination by the State Employment Services and all other State and local facilities. (14) a law providing substantial wage increases for law enforcement officers, but to include the requirement that all law enforcement officers have had to have concluded courses in criminology, have had to have passed psychological tests demonstrating mental stability, that all present law enforcement officers must meet with these requirements, and upon a failure, such enforcement officers must be released from their authority. (15) that the State of Florida shall establish a state committee on civil rights to enforce the protection of civil rights, the committee shall have investigative powers and and qua si judicial powers, and this committee shall have jurisdiction over al employers, unions, places of public accomodation, including all those establishments which are licensed by the State of Florida to carry on a business or occupation and all other public facilities operated by the state or local bodies. (16) that a Public Defender be provided for indigent defendants at all stages of a criminal proceeding, including the time of arrest and booking. (17) that a law enact a State Public Housing Program with the purposes to provide adequate public housing for those citizens of the State of Florida who are unable to procure adequate housing on the open market, and to provide adequate housing for those citizens of the State of Florida who are involuntarily removed by local urban renewal projects, whether such urban renewal projects are federal or non-federal.

Spiver Gordon
Florida Field Secretary
Congress of Racial Equality

Rutledge Pearson
President
Florida State Conference
of NAACP

Reverend C. K. Steele
Vice President, and Florida
Representative
Southern Christian Leadership
Conference

Edwyn E. Lewis, Jr.
Executive Driector
Florida Council on Human
Relations

[1965]

CORE
Scholarship, Education
and Defense Fund Attorney

Southern Region, Florida Counsel

The Experiment

An Adopting idea from the article " War on Poverty: A Civilian
BY Edgar S. & Jean C. Cahn
Prespective" ~~and The~~ 73 Yale Law Journal, ~~Volume B-1317, page 1334).~~ 1317 (1964)

As an Eleanor Roosevelt Intern in Intergroup Relations, it was my good fortune to serve with Mr. Leslie Dunbar, Executive Director of the Southern Regional Council, during 1964 and to learn their role in Civil Rights. Their role has varied from their traditional role of educative and reportive to a new direction of advocacy and other means of direct support of civil rights. At the "Last Supper" for the late Eleanor Roosevelt Interns in Warrenton, Virginia, Mr. Dunbar was the speaker. He rightly argued that the Civil Rights Movement had now entered a new phase-the administrative phase, that we now had our "Civil Rights Laws", and now we need professionals (presumably including us interns) to implement the Civil Rights Law.

Many who have been involved in Direct Action in an active manner for the last five years have accepted this "administrative phase" to mean that they have "won". They have read several treaties on the politics of revolution-, and therefore have accepted that theirs is a Civil Rights Revolution. And as the treatises prescribe, there is the stage where the professional comes in-the tecnocrat with the five year plans. These kinds of DirectActionists, confronted with the aspect of not having a meaning in life (some join the peace movement), hurry and take short courses on how to be a "professional" inter-grouper and become involved in the busy work of social welfare, such as leadership development, community action, tutorial work, community surveys, and the development of complex programs and proposals.

But others in Direct Action, especially those who are on salary, do not so understand this new administrative phase to mean that we have won. Even Martin Luther King, while stating to Govenor Wallaces office staff-"We have overcome", did not mean that his organization must now go out of existence and he should go back to Ebenizer Baptist Church to be a full time minister. They have read American History. They are commited to American Ideals-but they have felt this American History-and mistrust the validity of American responsis. They are conscious that American concern was more of a concern to get the protests off the streets-for purposes of pride and unity for international conflict, rather than identity with the merits of the protests. They realize that even bloddy Selma marches barely compete with Soap-Operas. They know that after the Civil War, the Abolitionists assumed new causes, or became patronizing "administrators". They know the consequences of the Freedom Bureau.

The remaining activists do not criticize their associates as they assume their new roles as professional administrators but do suspect them and all other "administrators". The activists, at least in CORE, have been more influenced by Albert Camus rather than Marx. They see themselves not as a self-appointed "Elite" to administer good to the deserving. They remember Camus's point that slaves learn from a master how to be a crueler master. They learned how some self-righteous Radical Republicans, although previously may have been good-faith abolitionists, became a manipulator and exploiter of both Negroes and whites for private gain.

We therefore agree that the Civil Rights Movement is entering an administrative phase (including a broader phase-such as the educational needs and anti-poverty bills). But by no means does it mean that we "won". In fact, this is the most critical phase. Remember, that it was diring a similar phase after the Civil War Revolution that the Southern Counter Revolution was initiated and vitiated all that noble purpose for which so much blood as spilled. The Administrative Phase does give opportunity for many good things-such as tutorial work. But because of the less clear issues-it gives oportunity to also deny, delay, and encourage those negative spirits that lie in all of us.

If adtivists do have a role,if it is not to lead as if a self-appointed elite. It is to engage particularly within the communities-to explain and serve. The communities themselves must find their own leadership-their own power.

II

General Description of Position

The experience of the staff member of the 1964 Civil Rights Movement was the dire need of a continuous service of a regularly available counsel. The professional civil rights legal groups rendered a necessary service, but their service is temporal rather than continual in an action program. More important they determine their own programs, Rather than to gear their program to the needs and demands of the community, the indiginous leadership and the civil rights staff. LCDC was an experiment to provide the type of supportive service which a civil rights movement needed. It was a success: witness COFO in Missisiippi and St Augustine. But even LCDC was temporal whose purpose was to exist only in the summer.

III

Therefore CORE, although continuing to cooperate with all other legal groups with civil rights interests, requested CORE Scholarship, Education and Defense Fund to conduct a legal program which can provide direct service to CORE and other civil rights groups in a cooperative manner. CORE Scholarship, Education and Defense Fund, which is a fraternal but separate tax exempt organization to which contributions are tax deductible, agreed to assume this new experiment.

I was appointed as first Florida Counsel, setting up and establishing offices in Tallahassee, Florida.

The specifics of my role are adopted to a degree from "The War on Poverty: A Civilian Prespective" ~~Yale Law Journal.~~ By Edgar S. and Jean C. Cahn, 73 Yale Law Journal 1317 (1964)

Although this article is specifically directed towards administration of the war on poverty, its analysis and suggestions are self-evident as being applicable to the war on racial discrimination. In fact we in CORE believe that these two wars are both the same in a cause and effect relationship. This article brillinatly details how the new administrative phase of the civil rights movement is tending to smother protest, dissent, and criticism from the poor; of course the poor now and hence forth in my remarks definately includes the Negro. The result is to contravene the purpose and intent of federal programs, anti-poverty laws, and civil rights laws. More improtantly, present tendencies of the "welfare" programs and civil rights programs are to deny participation in policy making and administration by the people affected, they tend to favor self-identified professionals and "blue bloods" who are usually responsible in fact for poverty in the community. To counter this smothering effect -the authors propose the need of continuous and effective exercise of the civilian prespective to vest the power to govern at the consent and direction of the governed. It is the poor who propose to benefit, they shall rule.

IV

Now the authors recognize the handicaps of the poor, (and the Negro) as against the professional expertise of the bureaucrats, only the latter are skilled in techniques of complexity, ambiguity and "process" ~~and~~ or public realtions, Madison Avenue style. How can the poor have their experts? How can the consumer prespective be protected?

The authors propose a partial answer, the establishment of a neighbor hood law firm under the anti-poverty program.

Their proposal details the neighborhood law firm for the purpose of being at the disposal of the community professional advocates to assist in ~~and assistants~~ to stimulate ing leadership and experience among the community's inhabitants. It would therefore have "ready access" to grievances of the neighborhood. This purpose is very much material to the needs of CORE or any civil rights movement's local programing. It has been determined that the CORE SEDF fund attorney, for example, shall be at the disposal of the CORE field secretary. He shall be available to stimulate leadership in CORE's local programs of community organization.

We agree that the "neighborhood law firm" must be albe to establish rapport and communication-but we have some doubt to the applicability to the civil rights movement of the following statement:

> " The lawyer is not obliged in the same manner to be apologetic about his middle class background, because the justification for his presence is that he is a professional advocate and that he possesses skills and knowledge not otherwise available. He does not have to pretend to be "one of them" to his clients in order to fulfill his function and merit their confidence. Middle class status thus need not be a barrier for the lawyer" p 1334-1335

Our personal experience to the contrary shows there is need for an attorney to prove "himself", to activists. That there is a degree of mistrust against all lawyers because of experience with a few. who compromise principles (this is similar to the labor movement's distrust of lawyers) Yet at the same time this is not gainsaying the truth of the need for the true activists and civil rights leaders to understand the position or role of an attorney.

To better understand the position and role of an attorney, the authors of the consumer perspective point to the particular assets of the lawyer, they are: (1) advocation orientation which allows him to be partisan and for identifying with (2) case orientation in order to articulate criticism or protest from an defined situation and (3) legal expertise.

V

The Cahn authors then see four areas where the above three assets can be exercised for the neighborhood law firm in the consumer prespective.

A. The first area is traditional assistance in establishing or asseting clearly defined legal rights. Included are legal services, including legal representation and legal education; assisting poor groups to enter into contractual relationships, and to assist in the creation of associations.

By exercising his assets, counseling and assistance, the author points out the value here of (1) making the laws less complex, (2) assisting to put into practice here-to-fore- theoretical rights, (3) practing preventive law on behalf of the poor, (4) developing new rights.

We shall adapt for the CORE Scholarship, Education & Defense Fund attorney the first area. He shall explain abstract administrative rules and regulations to CORE staff and community groups in the field, such as pertaining to Title 6 of the Civil Rights Bill. He shall suggest new or unusual ways to protest. He shall initiate injunctive suits, such as to prevent mass arrests and the use of discriminational tests. He shall develop new rights, such as the right not to have in office an active hostil and biased deputy sheriff. - See Bruce Simpson removal Hoss Menusi in St. Augustine-Haying v. State of Florida

B. The second area defined by the authors for the neighborhood lawyer is legal analysis and representation directed toward reform where the law is vague, uncertain and destructively complex. For the authors recognize how the poor is defenseless against unreasoned and unprincipled action by administrative so-called discreation. The CORE Scholarship, Education and Defense Fund attorney has adopted the second area as an area of concern For example: March 3rd is the deadline for the counties in the South to make some kind of compliance pledge in order to continue to receive funds for the school programs. The CORE attorney should know these plans and be prepared to represent advise and assist if these plans do not effect desegregation.

C. The third area determined by the authors is legal presentation where the law appears contrary to the interests of the poor community. In a time conflict role or negotiative role the attorney can mitigate,delay, or nullify a bad law; or better yet, be creative in interpretation. If no alternative, he must make direct attacks on the law.

Here to, we shall use the same techniques. In adopting this third area we may move against the admission of evidence as was done by SNCC attorney Moore in Atlanta, for an example. We may also file suit to forestall the implementation of the so-called "free choice" desegregation plans.

D. The authors see the forth area as being in contexts which appears to be non-legal, but where a neighborhood lawyer would be well qualified to serve. The authors illustrate then how a non-legal approach of a simple communication can best attain results. Even an attorney's mere presence poses a threat, and forestalls the mistreatment of the poor. The attorney is in a good position to use administrative proceedings to challenge a rule which heretofore was used by administrative officials in an arbitrary manner.

Here also we shall adapt this forth area for our concern. We have found already that our mere presence does have a positive effect. A simple news release about our establishing an office has made an effective impression. We shall adapt further from the fourth area; for example we may demand a hearing before the office of Education in Washington to challenge the acceptance of a desegregation plan. The non-legal non-court approach, being informal, is much less costly to carry out than suits or defensive actions.

In conclusion, as Southern counsel (Florida Counsel) CORE Scholarship, Education and Defense Fund, in North Florida, we are initiating a new program. As a child of CORE, we are determined to build an inter-racial society. As a Scholarship, Education and Defense Fund, counsel We shall stand beside the soldiers in the conflict against exploitation. We shall stand beside the defenseless and victims of discrimination. In exercising our roles in the above named areas, we shall further weaken the mortar supporting the institutions of segregation, and with the callapse of the Southern counter revolution, we shall, "this time" bury the forces for separation and build new institutions which shall unite America in recognizance of human dignity.

MEMO —
MOTION TO QUASH

1. One of the basic tenets of American jurisprudence, and an elementary tenet of the accusatorial process that typifies the purpose and fairness of our system of law is that the accused always is informed of the nature of the crime he is accused of committing. The first sign of the weakening of democracy is when a prosecution is maintained without informing the accused of what' he is being tried for. The importance of this tenet is illistrated by its incorporation in both the Constitution of the United States and the Constitution of the State of Florida;

> a) Amendment VI of the Constitution of the United States.
> " In all criminal prosecutions the accused shall enjoy the right to...be informed of the nature and cause of the accusation against him"
>
> b) Section 11 of the Declaration of Rights of the Constitution of the State of Florida.
> " In all criminal prosecutions, the accused shall have the right to...demand the nature and cause of the accusation...and shall be furnished with a copy of the indictment against him."

In this case, the accusatory process has not furnished the defendant with the information most elementary to building a defense: the acts he supposedly committed and what law they violated. For this reason the action should be stopped immediately, and the motion to quash granted.

2. The facts alleged by the "information" do not constitute a crime or offense under the laws of Florida or the ordinances of the City of Tallahassee.

3. Florida case history consistently supports the requirement t that arresting officers present the accused with an arrest warrant when he is placed under arrest, except under special circumstances specified in Florida Statutes § 901.15, as early as 1912, the year of passage of § 790.01, which establishes the crime of carrying a concealed weapon, and § 790.02 of State of Florida, which permits arrest without a warrant, has held that,

> " An officer, cannot under the laws of Florida, lawfully arrest a person without a warrant for the bare crime of carrying a concealed weapon, whether he knows of it of his own knowledge, or is informed of it by others and whether it occurs in or out of his presence, unless it is done in such a manner or under such circumstances as, in presence of an officer, to create, threaten, or amount to a breach of the peace; and even in the latter case the arrest would be authorized, not from the bare fact of carrying concealed weapons, but because of the threatened or actual breach of the peace accompanying it.
>
> Robinson v. State, 43 Fla. 156, 29 So. 535,
> 52 L. R. A. 751 (1912).

This approach has been upheld in a line of cases, the most recent of which is Alday v. State, (Supreme Court of Florida, en banc, 1952) 57 So. 2d 33.

The legislature has kept this theory as its guide when it created § 901.15 which states the circumstances under which an arrest without a warrant is permissible. These include first, when an officer sees the accused commit a felony or a misdemeanor, which is clearly not the case here, as no such charge has been made or even contemplated by the arresting officers; second, when a felony has been committed and the officer has reasonable grounds to believe that the accused has committed it, which, again, is not present in the case at hand; third, when the officer has reasonable grounds to believe that a felony has been or is being committed and reasonable grounds to believe that the person being arrested has committed or is committing it, which is again inapplicable since the necessary circumstances have not even been alleged by the officers; fourth and lastly, when a warrant has been previously issued charging a specific criminal offense and this warrant has been placed in the hands of any peace officer for execution, which again, simply isn't true in the present case and is therefore inapplicable.

It becomes patently obvious that both the legislature and the Courts have not seen fit to allow arrests without warrants except in certain special cases, and as shown above, the present case does not fit into the exceptions and it is therefore manifestly obvious that the arrest of Robert Howell was in clear violation of his right, as a citizen, not to be deprived of life, liberty, or property without due process of law, as guaranteed by § 12 of the Declaration of Rights of the Constitution of the State of Florida, and in violation of the protections against arrest without warrant afforded each citizen by the laws of Florida, § § 901.15 and 790.02.

4. If the prosecution fails to allege any element of the alleged offense or fails to present a sufficient amount of proof as to one or more elements, that, even if proven true would not establish the existence of that element or elements beyond a reasonable doubt, then the motion to quash should be granted.

5. The crime of carrying a concealed weapon is not a crime in itself, that is, it is not a crime classified as malum in se, but is only a crime when the specific elements as enumerated by the State laws are proven and satisfied by the facts of the case at hand; therefore the crime is classified as malum per quod. Hence, the prosecution must do more than merely accuse the defendant of committing a crime by merely labeling an act--the prosecution must allege, and give support thereto, each necessary element of the crime. The prosecution has not carried this burden as the law requires in the following respects:

a. The words "carrying on or about" have a specific meaning in law which has been clearly defined by past cases. 94 C. J. S. 492. The weapon must be ready for use, " in a convenient manner," "easily accessible without materially altering one's position as in one's hands or in clothing worn by the person." This meaning surely can not be garnered by the allegations of the prosecution, and without such facts being alleged and supported by such evidence that, if proven true at trial, will prove beyond a reasonable doubt that this element was present in defendant's action, the action against Robert Howell, defendant should and must be dismissed in order to maintain fairness and equity in the courtroom.

b. The term "weapon" also has a definitive meaning that must be satisfied if the statute can be applied to the action in question. While there is no Florida case in point here, there is an abundance of cases from most of the jurisdictions that clearly establish that an unloaded gun is under most circumstances not "arms" as the statutes intended. People v. Simons, 207 N. Y. S. 56, 124 Misc. 28 clearly stands for proposition that it is not unlawful to carry an unloaded gun for in that event it "ceases to be a firearm."

The traditional exception to this generalization is that the unloaded gun can be used as a bludgeon. However, this exception has no applicability here since the gun was wrapped in paper and there is no evidence of an attempt or even an intent to so use the gun in this manner.

c. Many jurisdictions hold that the prosecution must prove that the defendant intended to do the act or acts that violate the statute protecting against the carrying of a concealed weapon. Some of these jurisdictions are:

Arkansas--Wylie v State, 19, S. W. 905, 137 Ark. 572.
Georgia--Cospen v State, 79 S. E. 94, 13 Ga. App. 391.
Illinois--People v. Neimoth, 15 N. E. 537, 322 Ill. 51.
New York--People v Persce, 97 N. E. 877, 204 N. Y. 397.
Tennessee--Heath v State, 169 S. W. 750, 130 Tenn. 163.
Texas--McQueen v State, 177 S. W. 91, 76 Tex. Cr. 636.
West Virginia--State v Underwood, 109 S. E. 609, 89 W. Va. 548.

The theory under which this requirement has developed is best stated by our sister state's Court of Appeals when the Texas Court of Appeals held in Reynolds v State, 1 Texas App. 616,

> " The 'act to regulate the keeping and bearing of deadly weapons'...should be executed in the spirit for which it was intended, for the good of the citizen, and not to entrap the unwary and the unsuspecting, who intend no wrong."

In keeping with this approach certain motives or purposes for carrying concealed weapons are excused. They include:

1. Carrying weapons to owner.
2. Returning borrowed weapons.
3. Returning lost weapons.
4. Carrying weapons to public authorities.
5. Carrying weapons to have them repaired.
6. Carrying weapons to bring to pawnshop.
7. Carrying weapons to sell them.

In this case, the defendant was merely trying to sell his pistol; this was evidenced by the fact that it was wrapped in paper and the clip was removed. This intent was further illustrated by the fact that the defendant had gone to inumerable places in an effort to sell the pistol and had not breached the peace or violated the law in any way.

The carrying of a pistol for purpose of sale is not a violation of this statute. Zollicoffer v State, (Texas Cr.) 43 S. W.992.

In addition see 68 C. J. 20-25 (§ § 14-17).

Hence, this statute should not be used to prosecute citizens in the line of harmless and legal activities. As such was the nature of the defendant's acts, and as the prosecution alleges no facts to contrary, the motion to quash should be granted.

January 3, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Please send me the following information with regard to your request for additional books.

(1) List all the books which are now available to you.

   (a) Are they paid for?
   (b) Who owns them?
   (c) Will SEDF be asked to assume any of the obligations for their purchase. Ifsso, how much.

(2) What books do you want to purchase, and how much is each book or set individually.

In general, I think it a very bad practice to buy on time. We are now paying a considerable amount in interest for the Florida office.

Steve Nagler should be in town to help you by the end of the week.

Please keep the reports coming.

Cordially,

Marv Rich

MR:hm

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
JAN 11 1966
CORE SEDF

January 6, 1966

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassau Street, Room 1312
New York, N.Y. 10038

Dear Marvin:

The attached statement from Huggins Business Machines shows the balance of our account.

Huggins claims there is still a month's rent owing on the typewriter we had leased from them for the period May to November, 1965. The rental is due for the last month, October 15 to November 15.

The second item indicated is the repairs for the typewriter, which sum is to be paid by Barbara Lacombe, jointly by working it off and cash, 4½ hours worked to date and $5.00 cash paid to us.

The third item covers rental on an adding machine for one month. This machine is one I had intended to purchase but on second thought decided against it. We had it in our possesion for one month; Huggins took it back and charged rental for the month.

Would you kindly settle this account for me.

Thank you.

Yours truly,

John.

January 10, 1965

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Enclosed is a first draft of our program for the poverty people.

Please look it over very carefully and make changes and suggestions. Once I have your comments, and we edit it again, I think we should go to Washington and have a preliminary conference.

Cordially,

Marvin Rich

MR:hm
Enclosure

cc: William Ellis, Esq.
Andrew E. Norman

Mr. Carl Rachlin
Legal Director
CORE - SEDF

Charlaine

We have a brief prepared by a Columbia Law student on desegregating a Florida jail. It might be in our statewide school case file.

Sent to Dave 1/14/66 SS

January 8, 1966

Robert J. Harris, Esq.
Professor of Law
The University of Michigan Law School
Hutchins Hall
Ann Arbor, Michigan 48104

Dear Sir:

I regret the delay in replying to your letter of December 8, 1965.

Any help your students can give would be most appreciated.

We want to file a suit to desegregate the County Jail and the City Jail in Alachua County, Gainesville, Florida.

We have as plaintiffs, two negroes, one completed sentence in Gainesville City Jail and the other completed sentence in the County Jail, segregated from white prisoners, about six months ago.

We want to sue in Federal Court rather than in State Court.

What defenses are there to be anticipated and how can we best avoid them or reply to them?

For example, Defense of Mootness.

Federal Courts have no jurisdiction where there is no immediate injury.

Here, the plaintiff no longer suffers an injury, having completed his sentence and there is no reason for any relief.

Reply:

This is a class action affecting the plaintiff and members of his class as citizens of the United States, who are suffering and have suffered injury which the Civil Rights Laws and 14th Amendment were designed to relieve, therefore, the U.S. Courts have jurisdiction.

Robert J. Harris, Esq.
Professor of Law
University of Michigan Law School

Could I possibly have a memo on this within two weeks. If prepared later, may be usuable, but purpose is to file a legal memo with complaint.

Thank you.

Yours very truly,

John D. Due, Jr.
Attorney at Law.

:lf

cc: Mr. Carl Rachlin
Legal Director
CORE, SEDF
38 Park Row
New York, New York 10038

XERO COPY

Mr. Ila

January 10, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

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Enclosed is a first draft of our program for the poverty people.

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Cordially,

Marvin Rich

MR:hm
Enclosure

cc: William Ellis, Esq.
Andrew E. Norman
Carl Rachlin, Esq. ✓

[enclosed, Rich to Due, 1966, January

[0]

3

PROSPECTUS

OF

NORTH FLORIDA LEGAL SERVICES PROGRAM

This prospectus outlines a legal services program to be administered by CORE SEDF and designed to serve residents of a twenty-one (21) county area in northern Florida.

CONTENTS:

I. Community Profile and Comparative Incidence of Poverty.
II. The Case for an OEO-supported Legal Services Project in Northern Florida.
III. The Proposed Program ~~How It Is To Operate.~~

I. Community Profile and Comparative Incidence of Poverty.

A. Characteristics of the Project Area as a Whole Compared With The State As a Whole.

LOCATION, SIZE AND POPULATION OF PROJECT AREA:

The twenty-one county area is located in central northern Florida and comprises all of the counties located between Baker, Alachua and Levy Counties to the east and Jackson, Calhoun and Gulf Counties to the west ~~and including~~ as well as the six counties mentioned.

Total population (1960 Census)+ : 382,018

Total area: 13,888 square miles

INCOME:

% of families with income less than $3000

Project area: 41.4%

State: 40.2%

note: In 10 of the 21 counties ~~have more than~~ 50% of families ~~with~~ have incomes less than $3000.

UNEMPLOYMENT:

% of civilian labor force (male and female) unemployed

Project area: 3.7%

State: 5.0%

+ Unless otherwise indicated, all statistics come from the 1960 Census of Population.

I. A.

UNEMPLOYMENT (cont.)

note: Although the project area unemployment rate is less than that for the State as a whole, it should be noted that of the 21 counties comprised in the project area, 8 have been designated as Redevelopment Areas by the Dept. of Commerce (U.S.), entitling them to certain forms of Federal assistance under the Area Redevelopment Act (P.L. 87-27) and in the near future under the Public Works and Economic Development Act of 1965 (P.L. 89-136).

The designation, in these instances, is based on the presence of small but persistent pockets of unemployment or low median family income. +

Since there are 15 Redevelopment Areas presently designated in the State of Florida, the project area includes more than half of the total number.

EDUCATION:

% of persons 25 years old and over who have completed less than 8 years of school

Project area: 38.6%

State: 23.2%

B. Other Pertinent Characteristics of the Project Area

ESTIMATE OF THE NUMBER OF RESIDENT POOR:

150,000 to 175,000 persons

+ Economic Development, Vol. II, no. 9 (Nov. - Dec. 1965), U. S. Dept. of Commerce.

I. B. Other Pertinent Characteristics of the Project Area

PREDOMINANTLY RURAL:

Project area: 60% rural
State: 26.1% rural

note: 9 counties in the area are 100% rural.

In only two counties does the urban population exceed rural population.

RELATIVELY GREATER INCIDENCE OF POVERTY IN RURAL AREAS OF FLORIDA:

% of families with income less than $3000

Urban (State): 38.8%
Rural (State): 45.1%

median income of families

Urban (State): ~~$3962~~ $4956
Rural (State): ~~$3383~~ $4060

note: median rural incomes are below median urban incomes for all counties in project area.

% of persons 25 years old and over who have completed less than 8 years of school

Urban (State): 20.5%
Rural (State): 30.2%

% of substandard housing units

Urban (State): 12.2%
Rural (State): 27.7%

I. B. Other Pertinent Characteristics of the Project Area (cont.)

COMPARATIVELY LARGE PERCENTAGE OF NEGRO POPULATION:

% of non-white persons in project area: 33.2%
% of non-white persons in State: 26.1%

note: in the counties of the project area, the number of non-whites other than Negroes is negligible.

GREATER INCIDENCE OF POVERTY AMONG NON-WHITE POPULATION:

% of families with income less than $3000 $3000

White (State): 30.1%
Non-white (State): 70.7%

INSERT AS SECOND IN ORDER

% of civilian labor force/unemployed (male and female)

All in project area: 3.7%
Non-whites in project area: 5.1%
Total for State: 5.0%

% of persons 25 years old and over who have completed less than 8 years of school

All in project area: 38.6%
Non-whites in project area: 67.3%
Total for State: 23.2%

note: In every one of the 21 counties the majority of non-whites 25 and over with less than 8 years of school completed have actually completed only 4 years or less. The same applies to white persons in most of the counties but the majorities are less striking.

median family income (State)

White ~~$5411~~ $5147
Non-white ~~$2980~~ $2798

I. B. Other Pertinent Characteristics of the Project Area (cont.)

EXTREME POVERTY OF RURAL NEGRO FAMILIES:

median income (State)

	all families	non-white
urban	$4956	$2980
rural non-farm	$4119	$2243
rural farm	$3371	$1791

% of rural families with incomes less than $3000

all families rural non-farm	33.8%
non-white families rural " "	68.5%
all families rural farm	45.3%
non-white families rural "	78.6%

II. The Case For An OEO-Supported Legal Services Project in Northern Florida

A. Extension of Legal Services to the Poor: The Need in General

There is no need to argue at length the appropriateness in principle of a legal services project as one form of community action program. The CAP Guide (Vol. 1, p. 27) specifically recognizes that providing legal aid and information on the rights of the poor is a plausible ? component of ~~a~~ Community Action Programs. Two successive Attorney Generals have underscored the significance of legal aid as a weapon in the war on poverty. Two federally sponsored conferences in recent months have endorsed this view and explored its implementation in considerable detail. There is general agreement regarding the following points:

1. Laws do little good unless people know about them and the poor are ~~just those~~ likely to be poorly informed about their rights and about means for redress of grievances.
2. The very complexity of law in combination with the multiplication of government agencies with legal powers has produced frustration and discouragement and resentment on the part of the poor, i.e., the very persons who are supposed to be prime beneficiaries of much of the new legislation but who can least afford legal counsel.
3. Laws and administrative procedures established by legislation cannot be expected to serve justice and human needs unless those affected by decisions of courts and administrators can effectively argue their case. This the poor characteristically do not know how to do or cannot afford to do. The legal process thus miscarries, justice is not done, well-intentioned legislation fails of its purpose and the poor suffer the consequences.
4. There is every reason to believe, and experience has confirmed, that extending legal services to a sizable group of American citizens who have been without such services due to interrelated conditions of poverty, ignorance and in large measure racial discrimination, is one way to break the vicious cycle of poverty and afford opportunities and incentives to indigent persons to improve their lot.

II. B. Specific Need for the North Florida Project

1. At the present time there is no other agency or organization, public or private, intended to provide legal services to the poor anywhere throughout the 21 county area. 2

   A CORE SEDF legal assistance office, staffed by ?, one ~~two~~ attorneys, was set up at the beginning of 1965. The present plan calls for continued operation of that office. The need for expanding the facilities has been obvious as the small staff has been swamped with ~~[illegible]~~ work and quite unable to handle the case load even in one County.

2. The population of the target area is 60% rural (see statistics in part I of this prospectus). The concentration of lawyers in larger urban centers of the State means that it is especially difficult for most of the poor in this predominantly rural area to get legal assistance: they live remote from attorneys' offices. Attorneys who might give valuable occasional assistance for a minimal fee to indigent persons do not do so because potential needy clients and lawyers never make contact.

   The extension of legal services projected by CORE SEDF takes cognizance of this situation. Appropriately it is designed to reach and to serve the rural poor. It should be of considerable interest and value to anti-poverty planners and to Bar Associations throughout the country, as a demonstration project in rural legal aid.

3. The Negro population of northern Florida faces particular difficulties in relation to the ~~[illegible]~~ law. ~~[illegible]~~ The legal machinery, which is supposed to serve the cause of civil and criminal justice, as well as the operation of State and Federal administrative agencies staffed by local personnel, all too frequently constitute a threat to the poor, above all to the Negro poor, instead of a guarantee of impartial judgment and of the protection ~~[illegible]~~ of constitutional ~~[illegible]~~ rights. As a consequence, legal means of redress and appeal are widely distrusted and ignored when indeed they are not actually feared.

   Patterns of poverty and social behavior ~~[illegible]~~ in the area ~~that~~ cause the Negro population to suffer~~s~~ most from this state of affairs. Among both urban and rural residents, ~~the~~ Negro families constitute the poorest of the poor. (See particularly the income and education statistics in part I.) To make matters worse there are no resident Negro lawyers -- except for the staff of the present CORE SEDF program -- in the entire area of the 21 counties, a situation which places legal assistance of all sorts still farther beyond the ~~out of~~ reach of ~~[illegible]~~ the Negro poor.

   ~~In this state of affairs~~ It is accordingly particularly appropriate that a multi-county legal assistance program be administered by an organization capable of carrying out the Civil Rights requirements of all OEO grants.

II. B. Specific Need for the North Florida Project (cont.)

4. It has not been necessary for CORE SEDF (the applicant) to resort to books and statistics for evidence that the poor in North Florida need legal assistance. The experience of our organization with such a program of assistance on a small scale over the past 12 months has provided painful first-hand awareness ~~experience~~ of acute need. It has shown us also that interest on the part of rural residents in [illegible] the proferred legal services can be generated and that positive results can be achieved. Finally, out store of experience has proved valuable in designing the greatly expanded legal services program which is outlined below. We have every reason to be confident that, given OEO support, this is one anti-poverty program that will work.

III. The Proposed Program

A. Choice of Area.

The 21 county target area, with a predominantly rural population, is sufficiently large to make the project a significant one in terms of the number of poor persons and families affected; it is at the same time not so large as to be unwieldy.

The counties are located in a part of the State where poverty and racial discrimination are peculiarly interdependent. For this reason, the extension of legal services to the poor in this area, although posing a special ~~[illegible]~~ challenge, ~~but~~ recommends itself ~~[illegible]~~ as particularly appropriate and crucial in the war against poverty.

The 21 county area constitutes a region of considerable social-economic homogeneity. The types of legal problems to be dealt with will tend to be similar. Educational programs dealing with specific concerns can be substantially similar in content throughout the area. Experience acquired in one county or at one of the field offices can be expected to have general applicability.

The size of the area is optimum for a rural area in respect to the efficiency and adequacy of legal services that can be offered. It is small enough to permit close liaison among staff yet large enough to permit specialization within the staff and to warrant provision of research (e.g., library) and office facilities that will improve the quality and also expedite legal counselling and the processing of cases.

B. Program Objectives.

In line with the needs for legal services projects as outlined in part II above, the guidelines of the NORTH FLORIDA LEGAL SERVICES PROGRAM are as follows:

1. To provide diverse legal services to indigent persons so as to alleviate suffering and counteract feelings of helplessness, hopelessness and bitter frustration.
2. To afford opportunities and incentive to indigent persons to improve their lot. In this connection it should be stressed that the project is not to be restricted to or even principally oriented toward providing professional legal service for the poor. A basic objective is to bring about the engagement of the poor and disadvantaged in advocacy on their own behalf by instructing them concerning their rights, privileges and opportunities and the procedures by which they can implement these.

III. B. Program Objectives (cont.)

3. The scope and content of the legal services comprised in the program will take full cognizance of the need to disseminate information about legal rights, privileges and procedures and to make this information meaningful, convincing the apathetic and the cynical by example that they can make significant changes in their lives through appropriate action.

prospectus page 9b

4. Major types of legal services to be offered

   (a) Preventive law

   (b) Referral to other sources of legal assistance

   (c) Legal instruction for community leaders as well as for indigent and minority persons.

   (d) Advocacy and litigation -- especially where particular cases touch pervasive problems of the area poor and where direct representation of the poor holds promise of effecting social change in ways which can be appreciated by local residents.

   In keeping with the CORE SEDF principles of incorporation the focus of these services will be the civil rights and liberties of the poor.

III. The Proposed Program

C. Organization and Operation

The project envisions an extension of the present CORE SEDF legal assistance program. The latter is to continue, financed by CORE SEDF. The present office at T llahassee will be maintained and equipped to serve as central office. Four field offices will be established, strategically dispersed to achieve maximum accessibility. These will be located in Gainesville, Lake City, Marianna and Quincy. Field offices will be open at regular hours one or two days a week on a rotating basis. The existence of these offices, the hours they are open and the services available will be publicized through posters, church announcements, personal contacts with local organizations, etc.

STAFF: The staff will consist of 4 professional lawyers assisted and supplemented by (a) qualified law students engaged in coordinated field training programs and (b) residents trained by the staff to investigate complaints, serve papers, etc. Secretarial help will be sought in the group the program is designed to serve.

DIRECTION: An experienced practicing attorney will serve as executive director with overall responsibility for the program. He, in turn will be responsible to CORE SEDF. The relatively small number of staff attorneys involved in the project and the fact that they will be working as a team in the field, moving from field office to field office, much of the time, will permit close contact between the attorney in charge and all attorneys engaged in field office operations. It will also facilitate interchange of experience and ideas so that the program policies can be adapted to situations encountered, making them at once flexible and consistent.

ADVISORY COUNCIL: An interracial Advisory Council will be formed and will meet regularly with the attorney in charge. The Council will function as a sounding board of community opinion regarding current and prospective policies and operations. It will serve as a means of communication in both directions: from project personnel to community and vice versa.

The Advisory Council (approximately members) will

III. The Proposed Program

C. Organization and Operation (cont.)

be comprised of residents of the area, selected so as to represent diversified groups and interests: businessmen, ministers, representatives of professional groups (including Bar Associations and Law School faculties), local CAP program directors, leaders of civic organizations and civil rights groups, representatives of State, Federal or County agencies, etc. including representatives of the poor.

RESIDENT PARTICIPATION

RESIDENT PARTICIPATION: It is essential to the purposes of the program that staff-generated policy guidelines allow maximum flexibility as to the specific legal services to be provided through the field offices. It is intended that services be given in response to local, resident-generated needs and ideas. Some of these needs will be obvious and compelling, but the limited resources of the program will necessitate a determination of priorities even among compelling needs. This determination should be made as far as possible through local resident participation on the part of the poor themselves. (Decisions, for example, as to what areas staff lawyers are to focus their efforts upon in seeking to challenge established procedures or to obtain precedent-establishing dedisions by appealing lower court decisions.) It should be pointed out that this procedure is in line with the traditional and approved conception of the lawyer-client relationship: lawyers serve their clients, they do not manipulate them.

Resident participation is to be achieved informally through on the spot working rapport with poverty-minority groups in the field, made possible by responsiveness of project personnel to community needs and opportunities as articulated and formulated in the course of daily contacts as well as local educational and workshop-type meetings and discussions.

COORDINATION WITH OTHER AREA PROGRAMS:

(a) Coordination of this legal services project with other poverty programs is a major objective but one which, in the nature of the case, can only be characterized in general terms. It will involve, first, maximum possible active cooperation with the staff of other programs (i) in educating the rural and urban poor concerning specific program regulations and procedures and (ii) in encouraging the full participation of the poor in relevant programs.

III. C. Organization and Operation

COORDINATION WITH OTHER AREA PROGRAMS:(cont.)

Second, the legal services program will be coordinated with indirectly coordinated by serving to bring about improvements in anti-poverty and welfare programs and procedures; i.e., by providing independent legal representation of the perspective of the poor in support of their claims, grievances and criticims.

(b) The North Florida Legal Services Program will be carried out in conjunction with legal research and training programs of Law Schools of State universities. These law schools are located within the 21 county area.

(c) It is expected that law students will be available to assist staff lawyers with research and field work under the joint auspices of the Law Students Civil Rights Research Council, an independent organization with its main office located in New York City.

CRITERIA OF ELIGIBILITY FOR LEGAL ASSISTANCE: No rigid formula will be imposed in determining eligibility. The guiding principle will be that legal services shall be made available to all who cannot afford to pay. Beyond this, "the man of small means, who can afford to contribute toward legal costs, should be required to do so, but even he should not be turned away for lack of funds. Both must feel that they have a right to legal services, that they are not merely receiving another handout, and that they have some voice in determining what form the services will take to meet their needs."[+]

Every effort will be made to cooperate with local lawyers and Bar Associations in making referrals where clients can afford fees and can expect to obtain adequate legal representation in return.

[+] p. 67. *Law And Poverty: 1965*, Report to the National Conference on Law and Poverty, Wash. D.C., June 23-25, 1965.

III. C. Organization and Operation (cont.)

QUESTIONS OF PROFESSIONAL ETHICS

1. Regarding the impropriety of soliciting em-employment by advertising, by seeking out and advising persons with grievances, etc. (Cf. numbers 27 and 28 of Canons of Professional Ethics of the American Bar Association)

The contemplated educational component of the legal assistance program herein described and the use of publicity to make known the availability of legal assistance at the field offices throughout the project area do not transgress the bounds of professional propriety.

The staff lawyers will not stand to "reap gain" from any litigation which might result from the educational component or from the use of publicity. Nor is it plausible to suppose that the program will, through educational activity or publicity, take clients away from lawyers engaged in private practice.

(For the relevance of these considerations see NAACP v. Button, 371 U.S. at 415.)

2. Regarding the impropriety of a lawyer becoming an employee of any organization ("lay intermediary") which intervenes between him and his client or in any way compromises his loyalty to the client. (Cf. number 35 of Canons of Professional Ethics of the American Bar Association)

state positively

CORE SEDF is a ~~charitable~~ non-profit corporation. It would be gratuitous to presume that CORE SEDF intends to or will engage in administering a legal assistance program for pecuniary gain, a purpose contrary to its charter. And eliminating the motive of pecuniary gain is of considerable significance. In the words of the Supreme Court decision (NAACP v. Button, 371 U.S. at 441): "Objections to the intervention of a lay intermediary. . .derives from the element of pecuniary gain."

The relevant purposes of CORE SEDF as stated in its charter, do not warrant the assumption that there is any reason other than pecuniary gain, why CORE SEDF should intervene unethically in the relationship between staff attorneys and their clients. The most relevant purposes are quoted here from the certificate of incorporation:

> "(a) To encourage, assist, sponsor, and conduct research and educational activities and to disseminate information concerning the extent and causes of, and methods of eliminating, racial prejudice and discrimination, and lessening juvenile delinquency and other neighborhood tensions.
>
> (d) To educate citizens with respect to their voting rights and encourage the exercise of such rights as permitted by pertinent state legislation.
>
> (f) To pay the expenses of legal representation and other expenses (including bail) of persons involved in judicial or administrative proceedings, wherein questions and issues pertaining to civil rights and liberties arise.
>
> (g) To promote and encourage harmony among the various racial groups of the United States; and, in connection therewith, to promote and encourage inter-community contacts to discuss means to mitigate tensions which threaten to disrupt such harmony."

Finally, in providing legal assistance as one activity among others CORE SEDF is comparable to a number of other charitable organizations whose legal aid activity has been unequivocally supported by local bar associations. (See Law and Poverty: 1965, p. 105n.)

January 12, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check for $210.90 -- your salary for period ending January 14 (Note change in amount due to the increased rate (4.2%) of S.S. Tax
2. Check for $126.30 payable to Laura Ferguson- covering salary for period ending January 14
3. Check (in enveloped marked personal) for Steve Nagler covering his salary for period ending January 14

Sincerely,

Hope Maynard

/hm
Enclosures (3)

P.S. -- Please tell Miss Ferguson to return her withholding tax form. We need it for our files.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

January 12, 1966

Mrs. Hope Maynard
CORE SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Mrs. Maynard:

With reference to your letter of December 29, 1965, and the W-4 Forms you requested that I complete and return to you for your records, I am sorry to delay this but it is impossible for me to complete the form as I do not have a Social Security number; and would not be making application until I hear from the Citizenship and Immigration offices in Miami to whom I have written for permission to work in the U.S.A.

As soon as I hear from them, I shall let you have the necessary information for your records. In the meantime, I presume it would be okay for you to withhold tax from my salary.

Yours truly,

Laura.

Laura Ferguson.

R. F. JOHNSON
OFFICAL COURT REPORTER

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROOM 320
FEDERAL BUILDING
TAMPA, FLORIDA

PHONE 229-1210
P. O. BOX 3270

January 13, 1966.

Hope Maynard,
Core Scholorship,
Education and Defense Fund, Inc.,
150 Nassau Street,
Room 1312,
New Yprk, N. Y. 10038

Dear Maynard:

I thank you for yours of 10th inst. enclosing check for transcription in hearing in re. Shenezia Rivers -- S. W. Tampa T. B. Hospital.

Half or more of the testimony has been dictated, and I will finish it up promptly.

Uless I hear from you to the contrary I will send the testimony on to John D. Duke, Esq, Attorney, 54½ West Brevard Street, Tallahassee, Florida.

Yours very truly,

R F Johnson

R. F. Johnson.

LAW STUDENTS CIVIL RIGHTS RESEARCH COUNCIL
156 Fifth Avenue
New York, N.Y.

RECEIVED
JAN 17 1966
CORE SEDF

January 14, 1966

John D. Due, Jr.
CORE Scholarship, Education & Defense Fund
540½ West Brevard Street
Tallahassee, Florida

Dear John,

With reference to your letter of January 8th, the approximate cost of Xeroxing the material you requested is $130 at .10 per page. We don't have the staff to sit and Zerox 1300 pages. As we share the machine with the entire ACLU office, it would take weeks.

Therefore, please indicate which memos are particularly urgent and which you prefer over the rest. We will then do our best to copy those first and get the rest to you whenever possible. Since we are now in the process of setting up our Summer Internship Program, I can't promise it will be too soon.

Look forward to hearing from you.

Best regards,

Al Lerner

AML:pag
enc.
✓cc: CORE-SEDF, New York

[1966?]

January 14, 1965

John Due, Esq.
CORE Scholarship, Education &
Defense Fund
540½ West Brevard Street
Tallahassee, Florida

Stephen M. Nagler, Esq.
c/o CORE Scholarship Education
& Defense Fund

Dear John & Steve:

Enclosed is a brief which I hope will be useful to you in your Fortson case, which oddly enough was prepared at my request some months ago in anticipation of just some such problem. Let me hear your opinions as to its merits, since I have never studied it carefully enough in terms of an actual case.

Best regards to both of you.

Cordially,

CARL RACHLIN
General Counsel

CR/cs
Enc.

Sent:
Jacksonville
Police Station
by Bill Futrell

RECEIVED
JAN 21 1966
CORE SEDF

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

January 19, 1966

Mr. Marvin Rich
Executive Director
CORE - SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

The enclosed receipt covers payment for Hydro Gas for the November - December period. Up to the time of meter reading last week for the December - January period, this account had not been settled and since I cannot recall forwarding the statement to you, I assume we did not receive one. Nevertheless, it meant if I did not pay the bill at the time of meter reading, our service would have been disconnected.

I have made arrangements for all future bills from Hydro Gas to be forwarded directly to your office for payment, thus avoiding a repetition of the foregoing.

Would you kindly send me a check in the amount of $27.38, as I paid this bill out of my pocket.

Thanks.

Yours truly,

John D. Due, Jr.

:lf

Enc.

pd ck# 435 1/27/66

cc:

Florida
jail dispute
[illegible]

CORE Florida Office
540½ West Brevard Street
Tallahassee, Florida

January 21, 1966

Sheriff Otho Edwards
Sheriff of Gadsden County
Quincy, Florida

Dear Mr. Edwards:

Mr. James Fortson, a citizen of Gadsden County, Havana, Florida and former prisoner of your jail, complained to me today that he was being harassed and intimidated by your deputies. He stated that he was released by the prison's warden , who offered him a check for $3,000. He refused the check and you were called and you again offered him the check if he would drop the law suit against the County and get out of town within 24 hours.

He stated that he again refused the check and he was told to leave. He left without his wallet which contained his identifications. He stated that after leaving the prison camp, he was followed by your deputy. He tried to get a taxi, but was told by the driver that you had instructed all taxi cab drivers not to take him out of town. He further stated that he is in constant fear of his life and that of his family because your deputies continue to knock on his door in the early morning hours and park in front of his house.

I have contacted the Department of Justice in Washington, D.C. and the local F.B.I agency requesting an investigation and protection for Mr. Fortson.

As chief law enforcement officer in Gadsden County, you are obligated to protect Mr, Fortson and his family. Consider this letter a formal request for the protection of Mr. Fortson and family.

Yours for action.

Spiver W Gordon

Spiver W. Gordon

Rec'd 1/28/66

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

January 23, 1966

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

Here is a list of the books which I need, according to necessity.

United States Code Annotated - Free service for upkeep for 2 years, and free service includes United States Congressional Administrative News. $10.00 per single volume and $3.00 per year for upkeep of each book	$ 499.50
West Federal Forms - $20.00 per volume, $5.00 for upkeep of each volume.	$ 150.00
Barron & Holtzoff Federal Practice and Procedure - Series - $81.00 per year	$ 200.00

If one orders West Federal Forms and Barron and Holtzoff together, there is a $70.00 discount with free service.

West's Federal Practice Manual - $7.50 for each yearly packet	$ 60.00
U.S. Supreme Court Reporters - per yearly subscription	$ 24.00
Federal Rules Decisions - for the Series	$ 271.00
Modern Federal Practice Digest - Upkeep of $38.00 per year.	$ 796.25

Federal Rules of Civil Procedure	- $8.00
Southern Reporter (Cases in a certain set of States in State Courts) $8.00 per volume, $96.00 subscription	- $ 912.00 set
Florida Statutes Annotated $90.00 annually.	- $ 450.00
Corpus Juris Secundum	- $ 997.50

I should, at least, have the first four series of volumes.

Yours truly,

John D. Due, Jr.

:lf

P.S. Re your letter of January 3, the above answers para. (2).

Re (1) (a) No.
(b) John Due's Law Office.
(c) Yes - All $27.00 per month.

Private practice is not sufficient to take care of these expenses, inas much as nearly all of time is spent on CORE-SEDF cases.

John.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

January 27, 1966

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

done

Referring to my letter of January 3, 1966, the last paragraph of which refers to a sales slip from J.M. Fields and requesting reimbursement, to date I have not been reimbursed. Would you kindly comply.

The bank has notified me of the check sent to them in the amount of $10.88 on CORE SEDF account totalling amount of two checks written on said account.

I would like your approval with regard to the following suggestion.

It has been brought to my attention that for a small fee - exactly $5.00 per month - Tallahassee Linen Service would
(hand) supply us with towels and bathroom tissues. We are presently withdrawing funds from CORE SEDF account and running out to the dime store to purchase these whenever our supply runs out. We feel that an arrangement with the Linen Service would be more suitable.

At the moment, we are renting from the Linen Service, a "Walk Off" door mat and deodorizer for the washroom.

Your prompt attention to this would be appreciated.

Yours truly,

John D. Due, Jr.

Headquarters Office
PENSACOLA
Division Office
TALLAHASSEE

Department of Justice
UNITED STATES MARSHAL
NORTHERN DISTRICT OF FLORIDA
PENSACOLA, Florida 32502

JAN 27 1966

January 27, 1966

Mr. John D. Due, Jr.
Attorney at Law
540½ West Brevard St.
Tallahassee, Florida

Re: Fortson vs. Hathcock
TCA-1130

Dear Mr. Due:

Enclosed is a statement in the amount of $36.48 for service of process in the above styled cause.

Pursuant to an Order issued by Judge Carswell this process has been served without prepayment of costs. However, should your client prevail in this action this cost will have to be paid.

Yours very truly,

Emmett E. Shelby
United States Marshal

By Adam M. Lewis
Adam M. Lewis, Chief Deputy
sd.

AML:sd
Encl.

January 28, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I have a copy of Al Lerner's letter to you. It is an eminently sensible letter. If you had thought a moment before writing your request, you would have realized this as well. When I got your request I was furious, because you were ordering material without any idea as to its relevance or its cost. Consider yourself chastised.

I have not heard from you about our proposal for OEO assistance for northern Florida. I do not intend to reply to your request for a raise until I hear from you on this. Do we understand each other.

Cordially,

Marvin Rich

MR:hm

P.S. - I love Pat. How is the baby.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

January 31, 1966

Mr. Marvin Rich
Executive Director
CORE - SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

done 2/9/66

Dear Marvin:

Please send checks to the following in the amounts indicated. Statements for these outstanding amounts are attached.

Clyde Malloy, c/o Police Department, Monticello, Florida - Subpoena fee for one day - Brian D. King vs City of Monticello -	$10.00
R.F. Johnson - Balance owing for copies of transcripts - Alex Walton -	$35.62
Mrs. Nadine Feinberg - Transcript - U.S. vs Aaron D. Marks -	$17.50
Institute of Modern Legal Thought, Inc. - Subscription -	$ 5.00
Mrs. Carol C. Causseaux - Court Reporter - City of Tallahassee vs Spiver Gordon -	$27.50
Mrs. Carol C. Causseaux - Court Reporter - City of Tallahassee vs Spiver Gordon -	$15.00
The Florida Bar - Dues I paid check. Please Re-imburse -	$25.00
U.S. Marshall, Pensacola, Florida - Fees for service - Fortson -	$36.48
Otho Edwards - Sheriff, Gadsden County - Fees for service - Fortson vs Summerford -	$ 2.90

Also attached are receipts for sums paid from my personal account, would you kindly let me have a check to cover these amounts.

Clerk - U.S. District Court - Filing Fee - Fortson's case -	$15.00
Clerk - U.S. Court of Appeals - Gordon vs City of Tallahassee -	$25.00
Clerk - U.S. District Court - Clerk's Filing Fee - Fortson's Petition -	$ 5.00

Your prompt attention to this matter would be appreciated.

Yours truly,

John D. Due, Jr.

:lf

Enc.

n fla

January 31, 1966

John Due, Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear John:

Steve has given me a run-down of the large number of things being handled by your office and we want to do everything possible within out limited resources to help you. It is terribly important, therefore, that you give me a current docket of all the things being handled by you, with a sentence about what the case is about and its current status. This way, we can go over the matter and see specifically what we can take off your hands up here in the North leaving you free to do other things which have to be done.

I do not have to tell you how important it is, so please do it as quickly as possible. We are anxious to help you and one of the things we want to do is keep good lines of communication open. We have no objection at all if you refer such things as writing briefs on appeal or draw up various types of legal papers. This is what we are supposed to do.

Please give my love to Pat and the baby. I am anxious to see you all soon. With best regards,

Sincerely,

CARL RACHLIN
Legal Director

CR/cs

cc: Marvin Rich

n fla

February 1, 1966

John Due, Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear John:

Marvin has asked me to reply to your letter, for books, of January 23, 1966. Making a demand of such dimensions almost guarantees getting nothing since your request was so great. I wouldn't mind having a library like that either.

Barron-Holtzoff and West are a good idea; U. S. Code Annotated is a possibility as well as the Southern Reporter if we can get a gift or a second-hand set.

I know it is a nuisance but we have to make do. Gradually we can build up a library as we expand our operations.

Sincerely,

CARL RACHLIN
Legal Director

CR/cs

cc; Marvin Rich

Northern
Fla –

February 3, 1966

Mr. Lou Barsky
291 Broadway
New York, New York

Dear Lou:

Here are the minutes of the hearing which I sppke to you about. I haven't had a chance to read them through yet, myself.

Please let me know what your thoughts are on the matter.

Cordially,

STEPHEN M. NAGLER

SMN/cs
Enc.

February 3, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

You are authorized to buy West Federal Forms and Barron and Holtzoff. This should cost you $250. You may buy U. S. Code Annotated or the Southern Reporter only if you can get them second hand. I would like to know the cost before you commit yourself, however.

We pay $8.50 for linen service here in New York City with a larger staff. I would hope that you would be able to get cheaper service than $5 per month. However, if not, you are authorized to spend that. Why doesn't the owner provide deodorizer and bathroom tissues. I have never heard of supplying your own tissues before.

Cordially,

Marv Rich

MR:hm

February 9, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check, $210.90, to your order covering salary for period ending February 11

2. Check, $70, to your order covering reimbursements for

Florida Bar dues	$25.00
Filing fees -Fortson's case	15.00
Clerk's fee - Gordon vs City of Tallahassee	25.00
" " - Fortson's Petition	5.00

3. Check, $126.30, payable to Laura Ferguson, covering her salary for period ending February 111

All other payments which you requested made in your letter of January 31, have been taken care of.

Sincerely,

Hope Maynard

/hm
Enclosures (3)

February 11, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee,fFlorida

Dear John:

A report should be just that. In the future I expect to receive reports from you. Carl Rachlin should receive a carbon copy. These reports are private and confidential and they should not be mimeographed or photo copied. Your last report contained material which was libelous and comtemptuous. And then you mimeographed it which is, of course, publishing a libel. But even if you had used more discretion in your phrasing, a report should never be mimeographed. The material on the last page is certainly private and confidential.

I will write you more about the OEO project in a few days.

I am interested in a local internship program similar to that suggested by Mr. Laughlin.

Cordially,

Marvin Rich

MR:hm

New York, N.Y. 10038

February 11, 1966

Mr. Steve McVoy

Mr. Pat Frank

c/o Mrs. Carol Thomas
423 S.W. 10th Street
Gainesville, Florida

Dear Steve and Pat:

As an attorney to serve CORE, other civil rights and civil liberties organizations, and to assist the deprived, it is welcomed to hear that you are carrying on a CORE program in Alachua County, and in the surrounding counties, principally Levy County and Putnam County.

I therefore set forth what we can do and what we can not do.

What we can do:

1. I can assist you in community organization by:

    - being a speaker at your mass rallies.
    - form association groups.
    - provide bylaws and constitutions.
    - incorporate your groups.

No!

2. I can discuss with you and your leaders proven techniques of community organization in order to effect community action, how to find leaders, how to develop a community base, how to avoid community organization mistakes and dangers.

3. I can inform you about Federal and State Legislation, particularly:

    (a) Civil Rights Laws.
    (b) Anti-Poverty.
    (c) Education.
    (d) Housing.

4. I can assist you to organize in order to implement Federal Programs.

5. We can provide legal counsel and advice in Civil Rights, Civil Liberty cases and those poverty cases where a person is exploited legally and economically.

6. We can assist you to find Bondsmen or local attorneys.

traffic or small offense

1. Handle $25.00/cases - unless there are many of these type cases. We can not handle these from Tallahassee.

2. Provide Bond money.
   We cannot be a substitute for community support you should have.

3. Factionalize a community.
   Our work is to unite a community. The less common denominator in the community may be less radical (or even less non-violent) than what you or I would want ideally. But being basically an educative oaganization, we seek to unite a community around common issues.

For future close work and cooperation, send me to your "leaders", viz.:

1. Who is Chairman of Gainesville CORE, address and telephone and what hours and days he can be reached.

2. Who is in charge of the active CORE program, address, and telephone and what hours and days he can be reached.

3. Who is your legal chairman, address and telephone and what hours and days he can be reached, who can:

   (1) write up statements about arrests, or tests, or violation of rights.

   (2) be responsible in identifying observers and witnesses, addresses and telephone numbers.

4. If you have a movement other than CORE, or a joint movement including CORE, who is the Chairman, Action Committee Chairman and Legal Chairman.

Yours for freedom.

John D. Due, Jr.

:lf

cc: Mr. Marvin Rich

Mr. Steve Nagler

AFFIDAVIT or STATEMENT

My name is ______________________________, I live at ________________

________________________________, and I am ________ years old.

On the ________ day of _______________, 19____, I was in the vicinity

of ____________________________________, and I observed the following, or

the following happened to me .

(Describe - who, what, where, when, why, and how.)

Personally appeared before me, the undersigned authority, (name of person making affidavit or statement), who, after being first duly sworn, deposes and says that the above and foregoing affidavit or statement has been read by him and the matters and things therein set forth are true and correct.

____

Sworn to and subscribed before me
this   day of   , 19   .

____
Notary Public, State of Florida at Large
Jurat

or

______________________________________ Witness

______________________________________ Witness

Name, address, telephone number of person who took statement or made statement.

Autocopy 50 [illegible] to Merrin

FEB 16 1966

Rec'd 3/23/66

FLORIDA LAW BOOK CO., INC.
1316 ECKLES DRIVE
TAMPA, FLORIDA 33612
TELEPHONES. OFFICE 229-9423 • HOME 932-0627
AREA CODE 813

February 14, 1966

Mr. John D. Due, Jr.
540½ West Brevard St.
Tallahassee, Florida

Dear Mr. Due:

In accordance with your request when I visited your office recently, I am pleased to submit the following quotations for sets of used law books which you expressed an interest in acquiring.

All prices are for complete and up-to-date sets, and include delivery to your library. If any set should not be up-to-date when delivered, the new cost of fill-up would be deducted from the following quotations:

United States Code Annotated	$ 225.00
United States Supreme Court Rep.,L.Ed. (First Series, Vols. 1-300)	300.00
Federal Rules Decisions (Vols. 1-37)	180.00
Federal Digest (Prior to 1939) Modern Federal Practice Digest (1939 to date) - Both sets together	675.00
Southern Reporter, 1st & 2nd (thru 178 So. 2nd)	975.00
Florida Statutes Annotated	225.00
Corpus Juris Secundum	550.00
American Law Reports, complete with Permanent Digest, 1st & 2nd Series	1,475.00

All books delivered will be in good, useable condition, and many in like-new appearance.

I am looking forward to hearing from you and hope we can be of service with your law library needs.

Sincerely yours,

Richard W. Smith

Richard W. Smith

LAW
PROVIDING A MARKET for USED and NEW FLORIDA LAW BOOKS

RECEIVED

FEB 18 1966

CORE SEDF

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

February 15, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

3/9/66
Ck# 130 → $39.73

Dear Marvin:

Enclosed are copies of checks written on the CORE-SEDF account.

Cash withdrawn by Mrs. Ferguson for petty cash - purchase of cups, paper towels, etc. for use in the office - $10.00
Receipts attached for a total of $9.23 out of the $10.00
Cash in hand - 77 cents

In this regard, Tallahassee Linen Service will install, at the end of this week, toilet tissues and hand towels, thus eliminating the necessity of withdrawing cash for the purchase of these.

Tallahassee Linen Service - for Door Mat - $7.73

Mr. Wesley R. Thies, Clerk, U.S. Dist. Court
for 1 copy of Local Rules - $1.00

Mr. D. Peyton Yon, Postmaster - Purchase of Stamps - $21.00

For your information.

Yours truly,

John D. Due, Jr.

February 18, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I am glad to see that you have been writing to Gainesville. However, you are an attorney and not a community organizer. We cannot afford to have you devote your time to training people in community organization. This is Ronnie's job, and he is developing a special staff, format, and program.

The Personnel Committee has met and has recommended a raise for you. However, I am asking them to reconsider their recommendation and to increase it. I think you will agree that a delay of a few weeks will be worth-while if there is an increase in the dollar amount.

Cordially,

Marvin Rich

MR:hm

P.S. - You have my permission to purchase a 4-drawer cabinet with lock for your files.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
FEB 25 1966
CORE SEDF

February 22, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

To facilitate the efficient running of the office and due to pressure of work, I find it necessary to get additional help to assist the secretary with filing and little odd jobs around the office. I have therefore engaged the services of a student from Lincoln High school to assist in the capacity of filing clerk for an hour or so every afternoon. I have agreed to pay her $1.00 per hour and will do from the CORE-SEDF account.

This is for your information.

Yours truly,

John D. Due, Jr.

:lf

P.S.: The filing clerk's name is HELEN WADE, 16 years old, Grade 12 Student at Lincoln High School.

JDD,Jr.

RECEIVED

FEB 25 1966

CORE SEDF

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND

540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

February 23, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1707
New York, N.Y. 10038

Dear Marvin:

With regard to your letter of February 3, 1966, paragraph 2, and your reply to our request for permission to rent linen, etc., I have no other choice as Tallahassee Linen Service has complete monopoly of this line of business. Perhaps I should tell you the building we rent here has no janitorial services, we empty our own trash and so far, as time permits, do some sweeping. Consequently, our floors are in rather bad shape.

No!

I am, therefore, in the process of making arrangements for someone to re-finish the floors and upkeep them by cleaning them either weekly or bi-weekly.

Yours truly,

John D. Due, Jr.

:lf

February 24, 1966

Southeastern Telephone Company
Business Office
Post Office Box 1080
Tallahassee, Florida 32302

Gentlemen:

I have been informed by our north Florida Counsel, Mr. John D. Due, Jr., that you have disconnected his phones (Nos. 222-2316, 17) in Tallahassee allegedly for nonpayment of the bill dated February 1, 1966. Payment was made promptly. Our check No. 519, dated February 9, in the amount of$$168.85 has been cashed by you and has already cleared our bank.

I will expect to hear from you by return mail to the effect that service on these phones has been restored at no cost to us, an apology, and an agreement that in the future that you will not disconnect these phones until you have made a reasonable and personal effort to reach Mr. Due or myself. These phones serve a legal office. They are necessary to the functioning of that office and may not be disconnected by you because of whim or caprice. Further, this service may not be interrupted because of disagreement by any of your representatives with our objectives.

If necessary, we will take effective legal steps to protect our rights.

Sincerely,

Marvin Rich
Executive Director

MR:hm

cc: Mr. John D. Due, Jr.
Federal Communications Commission

February 25, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I had a preliminary meeting with Clinton Bamberger of the OEO on Wednesday. Jim Cordell of their Atlanta office should be getting in touch with you shortly. I have not yet submitted a formal application. It seems to me that you should continue to develop contacts and build up support from local lawyers.

Cordially,

Marvin Rich

MR:hm

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St., Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

RECEIVED
FEB 28 1966
CORE SEDF

[ca. Feb. 28, 1966]

Dear Marvin,

How can I "threaten" to sue the telephone company when I know how disorganized your office is - and do not even know that your office sent the check - Hope saying that the checks "may have been delayed" two days (Until February 9th) which indicates that the checks may not have even been sent. There is a Past history of these Bills not Being paid.

However, I may have to sue you: ~~as~~ I am "local" agent of SEDF, they may sue me For the Bill, and of course, I shall interplead SEDF as a defendant. I advise you to cancel #519 check and send a check to the Telephone Company.

Also. You may Be Nasty with Me - But you shall not ever again Be Nasty with Laura or any other person working with me. Your involvement with Civil Rights give you no license to Be insulting which our "Segregationists" here have never been.

I realize the strain you must Be in, But please Be business-like, Proper, and at least, as correct as the "segregationists" when you talk with Laura. Or is that too much?

John

SOUTHEASTERN TELEPHONE COMPANY
P. O. Box 2214
Tallahassee, Florida 32304

March 2, 1966

Mr. Marvin Rich
Executive Director
Core Scholarship, Education &
Defense Fund, Inc.
150 Nassau Street, Room 1707
New York, New York 10038

Dear Mr. Rich:

This is in reply to your letter of February 24th concerning telephone service for Mr. John D. Due, Jr. (numbers 222-2316 & 17) which was disconnected for non-payment of the February 1st bill in the amount of $ 168.85.

After receiving a call from Mr. Due, Monday, February 28th, we checked our Accounting Center and determined the account had actually been paid in full prior to the date disconnected. For this we sincerely apologize. Unfortunately the payment slipped through without being posted to the account.

Rest assured that service was not interrupted as the result of any disagreement with your objectives. We are most anxious to provide service and have a cordial business like working arrangement with all of our customers.

Home phone

We would like to take this opportunity to bring to your attention the fact that telephone service on 224-2731, listed as Core Scholarship, Education and Defense Fund, with Mr. Due as manager, was removed for non-payment February 23rd. The January 13th bill, in the amount of $ 39.50, plus the February 13th bill remain outstanding with a total amount due of $ 83.69. Since service has now been removed a final bill will be issued which will undoubtedly be more than the $ 83.69. We shall appreciate your cooperation in clearing this account.

We trust the above information is satisfactory and if we can be of further service to you in any way please let us know.

Yours very truly,

DJ Hunter

D. J. Hunter
District Commercial Supervisor

DJH:mh

cc: Mr. John D. Due, Jr.

March 3, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Go ahead and use Helen Wade for temporary work to the extent of five hours a week. Just make sure that we're not violating any child labor laws in this reppect.

If we must use Tallahassee Linen Service, then so be it.

Please do not have the floors refinished if this means considerable expense. You can, of course, have someone wax them professionally at reasonable intervals.

I hope that by now your phone has been restored. I would like to know on what day it was restored so that we can arrange to receive a credit from the phone company. In the future I would suggest that you assume our office is efficient. Your bill was paid promptly. However, as a matter of law, the phone company had no right to disconnect even if the bill has not been paid promptly. If you want to avoid any unpleasantness in the future, make the phone call yourself.

I would appreciate receiving the docket for the past month.

Cordially,

Marvin Rich

MR:hm

March 8, 1966

Mr. D. J. Hunter
District Commercial Supervisor
Southeastern Telephone Company
P. O. Box 2214
Tallahassee, Florida 32304

Dear Mr. Hunter:

Thanks so much for your note of March 2. I do hope that the incident with the phone numbers 222-2316 and 17 will not be repeated. Such a situation is intolerable with regard to a business phone. However, I think you can check our records and be assured that we have paid our bills promptly.

Phone No. 224-2731, in Tallahassee is improperly listed as a CORE Scholarship, Education and Defense Fund, Inc. phone. We have never paid for this phone nor do we have any responsibility for it. I would suggest that the listing be changed. I understand that the amount due on this phone will be cleared within the week.

Sincerely,

Marvin Rich
Executive Director

MR:hm

cc: Mr. John D. Due, Jr.

Recd 4/14/66

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

March 29, 1966

OK
MR

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

During the period when our telephone was disconnected, I made and received calls on the CORE telephone in Spiver Gordon's office. Consequently, at the time of billing, these were included on CORE telephone account.

Listed below are the calls and the amounts, for which I would appreciate your sending a check to Spiver Gordon.

Feb. 24/66	Collect from Jacksonville, Fla.	- $6.40
Feb. 25/66	Collect from Gainesville, Fla.	- 2.50
Feb. 26/66	Tallahassee to Quincy, Fla.	- .45
Feb. 26/66	Collect from Quincy, Fla.	- .35
Feb. 24/66	Tallahassee to Perry, Fla.	- .45
Feb. 24/66	Tallahassee to Washington, D.C.	- 3.50
Feb. 24/66	Tallahassee to Jacksonville, Fla.	- 3.75
Feb. 25/66	Tallahassee to Monticello, Fla.	- .50
Feb. 25/66	Tallahassee to Monticello, Fla.	- .35
Total		- $18.25

Your prompt attention to this matter would be appreciated.

Yours truly,

John D. Due, Jr.

:lf

Ck #270
4/20/66

SOUTHEASTERN TELEPHONE COMPANY
P. O. Box 2214
Tallahassee, Florida 32304

March 29, 1966

absence of freshman class

Mr. Marvin Rich
Executive Director
Core Scholarship, Education
& Defense Fund, Inc.
150 Nassau Street, Room 1707
New York, New York 10038

Dear Mr. Rich:

In reference to your letter of March 8, this is to let you know the bill on 224-2731, removed for non-pay, has not yet been cleared.

Concerning the listing, it was requested to be Core Scholarship, Education and Defense Fund by Mr. John D. Due, Jr. who presented himself as the Manager. This being the case, we assumed the listing to be legitimate and that Mr.Due, as your North Florida Council, would see that the bills were paid.

OK MR.
deduct from pay

The final bill on this account is $ 70.70.

We have another account which was listed as "Congress of Racial Equality", old telephone number 224-0943, and located at the same address as 224-2731, 540 1/2 W. Brevard Street. This service has also been removed for non-payment. Mr. Gordon Spiver, Attorney, was responsible for this service for which the March 13 bill was $ 183.98.

In view of the apparent handling of the two (2) accounts by Messers Due and Spiver we are confident you will agree with our strictly business like approach in handling these accounts.

We shall appreciate any effort you may make on our behalf to clear the two (2) outstanding accounts. Further, if we can be of service to you, please do not hesitate to call upon us.

Very truly yours,

D. J. Hunter
mh

D. J. Hunter
District Commercial Supervisor

DJH:mh

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND

540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

Recd 4/8/66

April 4, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Ck# 289 4/25/66

Dear Marvin:

Would you please order from the American Civil Liberties Union Book Service, the following books:

Bill of Rights Reader (Leading Constitutional Cases), Milton R. Konvitz, Editor. 3rd Edition 1965	- $11.50
Equality (Essays on benign quotas and compensatory treatment for Negroes in jobs, housing, schools), by Dorothy Kenyon, Loren Miller, Pete Marcuse, and Charles Abrams	- 4.25

order

Thank you.

Yours truly,

J D Due Jr

John D. Due, Jr.

:lf

have them ship to Due directly

April 6, 1966

Mr. D. J. Hunter
District Commericial Supervisor
Southeastern Bell Telephone Company
P. O. Box 2214
Tallahassee, Florida 32404

Dear Mr. Hunter:

Enclosed is our check in the amount of $70.70 to cover the final bill of phone number 224-2731 which was listed under our name with John D. Due, Jr. as manager. This is not an office phone, but Mr. Due's personal home telephone.

If the service is reinstalled in the future, this phone should be listed under Mr. Due's name.

With regard to the other phone bill which is outstanding (224-0943), this is not our obligation and will have to be cleared up by Mr. Gordon.

Sincerely,

Hope Maynard
for
MarvinRRich
Executive Director

/hm
Enclosure

cc: Mr. John D. Due, Jr.

April 6, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are two checks as follows:

1. Check for Laura Ferguson covering salary for period ending April 8

2. Check for you covering three weeks vacation and retroactive salary through March 25, date on which your leave of absence started. Please see breakdown on attached paper.

Sincerely,

Hope Maynard

/hm
Enclosures (2)

P.S. - Vacation payment covers the period from March 28 to April 15.

Also, $76.70 was deducted from this ~~abo~~ amount to pay your phone bill, which we paid today.

CORE SCHOLARSHIP, EDUCATION and DEFENSE FUND
540½ West Brevard St. Tallahassee, Florida

JOHN D. DUE, Jr.
FLORIDA COUNSEL

Phone 222-2317

April 11, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDF
150 Nassau St., Room 1312
New York, N.Y. 10038

Dear Marvin:

Attached are bills for payment.

Dictaphone Corporation - for Dictabelt Records	$ 7.21
Dictaphone Corporation - Rental of Dictaphone	61.49
Governmental Guide, Nashville, Tennessee	4.00
Tallahassee Linen Service - Rental - Linen, Door Mat, etc.	13.65

Yours truly,

John D. Due, Jr.

:lf

Attach.(4)

SOUTHEASTERN TELEPHONE COMPANY
P. O. Box 2214
Tallahassee, Florida 32304

April 13, 1966

Mr. Marvin Rich
Executive Director
Core Scholarship, Education &
Defense Fund, Inc.
150 Nassau Street, Room 1707
New York, New York 10038

Dear Mr. Rich:

This is to acknowledge receipt of, and to thank you for, your letter of April 6 and your check in the amount of $ 70.70.

Your cooperation in clearing the account is very much appreciated and we shall contact Mr. Gordon, as you suggested, concerning the outstanding bill for account 224-0943.

Yours very truly,

DJ Hunter

D. J. Hunter
District Commercial Supervisor

DJH:mh

cc: John D. Due, Jr.

LAW OFFICES OF
GOLDIN & JONES
222 N.E. FIRST STREET
GAINESVILLE, FLORIDA 32601

SELIG I. GOLDIN
RICHARD T. JONES

TELEPHONE 378-1673
P. O. BOX 1113

APR 18 1966

15 April 1966

John Due, Esquire
540 1/2 W. Brevard
Tallahassee, Florida

Re: State of Florida vs.
Carol Thomas & Leon Mincey

Dear John:

This is to advise you that the State of Florida has nolle prossed the case against Leon Mincey and this closes out this file.

In accordance with some of our previous discussions, I have billed the local chapter of the NAACP for my services but I am enclosing a copy of the Court Reporter's statement for this case. I have already paid this and I would appreciate your having C.O.R.E. or one of your other organizations reimburse me for this sum.

I enjoyed meeting you and I certainly appreciate your assistance in this case. If I can ever be of any assistance in the future, please feel free to call upon me.

Sincerely,

Selig I. Goldin
Selig I. Goldin

SIG/bc

Enclosure

April 18, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

There is no regular pay scale. There is only a review at the end of six months. You are authorized to offer Mrs. Brown $75 per week if she is a secretary.

We are now in the process of arranging medical insurance. I hope this will be completed in the next two weeks.

I am having stencils cut on the OEO project. Since this was a first draft, we only Xeroxed them. But if you should require 30, we will have to mimeograph.

Best of luck in the campaign.

Cordially,

Marvin Rich

MR:hm

April 25, 1966

Ralph Temple
c/o Mr. Iver Olsen
Chicago & North Western Ry. co.
400 W. Madison St.
Chicago, Ill.

Dear Marvin:

Thank you so much for your encouragement and help on the Michael Norman case -- the one I talked to you about today.

I should have written you the details of the case long ago. Unfortunately, I have been on almost permanent assignment in Chicago since January, and rarely get back to Washington except on weekends. As a result, I have not been able to attend to civil rights matters. Fortunately, the attorneys handling the case -- particularly Hank Schlosberg -- have done an excellent job.

Under the circumstances, I am sincerely grateful for your unhesitating willingness to help us so substantially.

Want to hire a full time civil rights lawyer in Washington?

Best regards.

Sincerely,

Ralph

Ralph Temple

LAW OFFICES
JACOBS & SCHLOSBERG
SUITE 440 ITT BUILDING
1707 L STREET, N. W.
WASHINGTON, D. C. 20036
296-2666

HARVEY A. JACOBS
HUBERT M. SCHLOSBERG
STEPHEN H. GALT

8730 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20910
SUITE 600 585-6856

April 27, 1966

OK
MR

Mr. Marvin Rich
CORE Scholarship and Legal Defense Fund
150 Nassau Street
New York City, New York

Dear Mr. Rich:

Ralph Temple of Washington, D. C. has requested me to contact you concerning the trial transcript in the case of Michael Norman.

The information which I have received from the Court Reporter indicates that the cost of the transcript may run as high as $455.00. She arrived at this figure on the basis of approximately 700 pages at sixty-five cents per page.

Quite frankly, it is my belief that the cost will be less than $455.00, but we would like to have a check in this amount to cover ourselves. Of course, any amount received in excess of the actual cost, will be refunded to CORE immediately after we receive and pay the bill.

Please make the check payable to the order of Hubert M. Schlosberg. Upon receipt thereof, it will be immediately deposited in our Trust Account. When we receive the transcript, together with the Court Reporter's bill, we will pay the bill out of the Trust Account and forward the difference to you, together with a copy of the paid bill. CORE's check should be made payable to me primarily because we won't know the amount of the bill until the transcript is completed, and I would rather give the Court Reporter a check for the exact amount and thus avoid any complications.

Other aspects of this case are scheduled for trial the first week of May.

Arrangements have already been made by Ralph Temple with the attorneys who are to handle the other cases. I plan to meet with these other attorneys to give them whatever assistance they may need. In any event, certainly this transcript will be very helpful in the other phases of this case, as well as the re-trial of the case in the United States District Court, which is now scheduled for June 6, 1966.

I would like to take this opportunity to thank you for your cooperation and help. I am

Sincerely,

JACOBS & SCHLOSBERG

Hubert M. Schlosberg

Hubert M. Schlosberg

HMS/bt
cc: Ralph Temple, Esquire

SPRING REPORT

(Incomplete - Lacking certain
ACLU Cases and a SCLC Case,
Moses Davis vs Daylight. Grocery
Company - Special report pending)

FROM: John D. Due, Jr. April 27, 1966

TO: Carl Rachlin
Marvin Rich

The CORE-SEDF Legal Assistance Project of North Florida.

This is the report of cases which are identified either as Civil Rights cases or Legal Assistance cases. It is necessary to make the following definitions:

1. Civil Rights Cases.

   Civil Rights cases are those legal cases or administrative actions which a civil rights group or community group sponsors in order to establish a certain policy of desegregation. The project will assist these groups by providing legal services, and on occasion, directly co-sponsor such endeavours.

2. Legal Assistance Cases

   A Legal Assistance case is that case where the project will provide legal assistance to protect the legal rights of persons or groups, who, because of their being poor, or because of other reasons, are unable to have adequate legal representation. The distinction between the two, is that the project regards the above defined Civil Rights cases as those cases which, to the project, have a definite interest to establish a policy of desegregation, Whereas, in the latter, Legal Assistance cases, may more likely than not, involve civil rights claims, involve violations of civil rights laws, but any civil rights basis is a mere incident to the main interest of the project to provide legal services to those persons or groups who are deprived of legal representation.

CASES

David Dukes vs Madison County

The temporary restraining order was won from the United States District Court on behalf of the Madison County Student Movement to desegregate Cherry Lake, a publicly operated facility, Pending is a motion to dismiss. A Civil Rights Case.

Bieglow vs Sidney-
and Jesse McCall vs Madison County

This is a Legal Assistance case.

This is a Civil Rights Case. A suit on behalf of the Madison County Student Movement seeking to order non-interference with civil rights activities of civil rights groups. A temporary restraining order was won. A motion to dismiss and hearing is pending.

State of Florida vs Willie McDaniel

This is a legal assistance type case. Petition of removal filed on behalf of Willie McDaniel during the summer of 1965 where he was charged with an assault upon a white person, during a civil rights demonstration. Hearing pending on a motion to remand.

State of Florida vs Saunders

This is a Legal Assistance type case. S[illegible]. Saunders was arrested for assault upon white persons during the civil rights demonstrations in St. Augustine. Petition of Removal was filed in August. Hearing of a Motion to Remand is pending.

Bathrick vs Cooper

Suit filed during the summer of 1965 against the County officials of St. Augustine to prohibit their interfering with those who were active in civil rights. Motion to dismiss by the County was denied September. Is to be set for trial soon.

City of Monticello vs Rev. James Gafney

Closed.

State of Florida vs Harry Kearse

This is a legal assis tance case. Harry Kearse, a known SCLC or Civil Rights worker of St. Augustine was assaulted in the summer of 1965 and then he himself was charged with assault. The case was removed to Federal Court. Hearing on the Petition has been continued until May.

City of Tallahassee vs Spiver Gordon

This is a Legal Assistance type case. Spiver Gordon, a Florida CORE Field Secretary, was arrested for homosexual activities. The case was in Federal Courts, removed, remanded, and appealed. Mandamus and Appeal denied in January 1966.

City trial was held and Spiver Gordon was found guilty, Motion for a new trial has not been acted upon by the City Judge and therefore is pending.

Chattahoochee State Hospital Improvement Association vs State of Florida

This is a civil rights administrative action. Discrimination regarding Negro employees at the hospital was found during the summer of 1965, and in January 1966, H.E.W. reported compliance. Members of the Improvement Association denied that there is compliance. Further action is pending.

Mrs. Pauline Palmer vs U.S. Govt. and the State of Florida

This is a Legal Assistance type administrative action. Her complaint is discrimination as a Negro secretary regarding differential in pay and her complaint regarding her termination because of her complaining about her pay. Last fall, 1965, U.S. Department of Agriculture indicated that there is no policy of discrimination by the Extension Service. In February 1966, Dr. M. O. Watkins, the Director of the State Extension Service indicated that there was no discrimination against Mrs. Palmer. Mrs. Palmer denies these reports, and further action is pending.

Sadie Estelle Gordon Case

This is a Legal Assistance Type case involving civil rights. July 1964, Sadie Gordon and others went to the Yellow Pine truck stop and were refused service. Tobias Simon, Legal Defense Fund NAACP filed a suit and an order to desegregate was issued by Judge Simpson during the Fall of 1964, A Negro, Melvin Eubanks, Signal Service, was assaulted. Others were assaulted during the summer of 1965. Flossie McDaniel, an employee, who protested the violence was assaulted. November, 1965, the project intervened in a suit on behalf of Sadie Gordon and Flossie McDaniel and filed a Motion to Show Cause why the Alpine Truck Stop and others should not be held in contempt. Hearing on the Motion is now pending.

Harry Kearse Case

This is a Legal Assistance type case, suing state officers for false arrest and police brutality. All motions have been filed and acted upon except our motion for summary judgement. Trial is pending.

Gadsden County Hospital, Quincy, Florida

H. E. W. has issued a report indicating that the hospital is in compliance. Spiver Gordon is informed that the hospital is still not assigning patients to the same room. Further action is pending.

The Joe Hadley Case

This is a Legal Assistance case. Joe Hadley, employee of the State was accused by a fellow white employee of stealing a purse when there was no basis, in fact, of the charge. Arbitrarily, unreasonably, his supervisor called the police of the City of Tallahassee, without using procedures to resolve the matter internally. Further action is pending.

The Matter of the Inter-Civic Council

This a Legal Assistance Program. The Inter-Civic Council is a civil rights group organized in 1966 (?) to be a coordinating council. It was the first group to affiliate with the Montgomery Improvement Council there, and therefore both groups were on the basis of the Southern Christian Leadership Conference. We have been authorized to re-draw the Constitution and Bylaws of the Inter-Civic Council in such a manner that it will represent the whole community, to that we had done regarding CIG in Gadsden County.

State of Florida vs Richard Calhoun

This is a Legal Assis tance Case.

Richard Calhoun, a Negro who had been identified with CORE activities a Marianna, Florida, during the summer of 1965, had been drinking moonshine with some other teenagers and shot a boy who was on leave from the Army. The Public Defender was assigned, and at trial, the boy who was shot and who was with the Armed Forces, the prosecuting witness, was not present. The time for Appeal or Motion for New Trial has tolled: Further action is pending on the question of being denied the right of confrontation with a prosecuting witness.

U. S. vs Aaron Marks [illegible]

This is a Legal Assistance type case.

Mr. Marks, kept a CORE worker in his home last summer, He has been arrested and found quilty for operating a moonshine in his home, Marianna, January 1966. Motion for a New Trial and Appeal has tolled. Further action is pending on the question of illegal search and seizure, the right of counsel at the time arrest and preliminary hearing. (The charge is possession of moonshine equipment, the equipment, the equipment being on another party's property, and the arresting officer searched the premises of the owner who is not Marks).

Alex Walton vs State of Florida

This is a Legal Assistance type case.

Alex H. Walton was a chief cook who was terminated arbitrarily and unreasonably and unfairly because of his supporting the rights of others to desegregate a restaurant facility operated at the Chattahoochee Hospital. We have appealed to and were denied by the State Tuberculosis Board. Further action is pending.

State of Florida vs James McNealy

This is a Civil Rights case.

James McNealy was denied counsel at the time of arrest and is presently incarcerated in the segregated Florida State Prison. The Public Defender has filed a Motion to Abandon the Appeal and to file a suit as a civil rights matter to desegregate the State Prison.

Richard Bathrick vs Buddie Cooper

This is a legal assistance type case on behalf of a student on exchange program with a white student attending a Negro Junior College in St. Augustine. He was brutally beaten while comforting some Negro students at a public beach. Involved also were Deputy Sheriffs. Answer has been filed to our complaint for an injunction and damages , and trial has not yet been set.

Johnny Brown vs Herman Cherry

This is a legal assistance case.

Petition of Habeas Corpus and order were obtained for the release of John Brown who was tried and found guilty of disturbing the peace and disorderly conduct without due process of law. The State has filed an appeal and an assignment of errors.

Future action is pending.

City of Jacksonville vs Moses Davis

This is a civil rights case.

Moses Davis, a member of the affiliate of SCLC, in Jacksonville, was arrested for an alleged shop-in or disorderly conduct at the Daylight Grocery Store. The case was removed to Federal Court, but regardless, the City case came up in April this year. Upon agreement with the attorneys for the Daylight Grocery Company the case was continued until further notice while negotiation of the case is resolved.

State of Florida vs Freeman McKindra

This is a legal assistance program case.

McKindra was a director of the summer tutor program at Florida Memorial College in St. Augustine, the Negro Junior College. While in the water at the St. Augustine beach, he and others were arrested for profanity by the Deputy Sheriffs of St. John County. The case has been removed to the United States District Court and further action is still pending.

Frank Graddy vs State of Georgia

This is a legal assistance type case.

Frank Graddy was kidnapped by Deputy Sheriffs from the State of Georgia, from the State of Florida, and was prosecuted for manslaughter, and possession of a weapon. On March 29, the project represented Frank Graddy - there was a hung jury on the manslaughter charge, finding him guilty on the possession of a weapon. Further disposition of the cases is continued to September term of the Georgia Court. The project has now decided that this is the time to file a suit for Federal kidnapping. In that a Suit will not prejudice the criminal charges any longer.

April 28, 1966

Dowling, Pattison, Jones
  and Noel
First Bank and Trust Bldg.
Jacksonville, Florida 32202

Gentlemen:

Enclosed is our check in the amount of $50.65 to cover fees in the Daylight Grocery Co. vs Meat Cutters Packinghouse for Febuary 14, and 21, 1966.

This bill was addressed to Earl M. Johnson, Esq.
625 West Union Street, Jacksonville, Florida

Sincerely,

Hope Maynard

/hm
Enclosure

May 2, 1966

Mr. Hubert M. Schlosberg
Joacobs and Schlosberg
Suite 440 ITT Building
1707 L Street, N.W.
Washington, D. C. 20036

Dear Mr. Schlosberg:

Enclosed is an SEDF check for $455 for the fees of the court reporter in the Michael Norman case. Your suggestions about the use of the trust account are satisfactory. Please make out the check for the balance returnable to us in the name of SEDF. Also, we would like to receive a copy of the bill from the court reporter.

Best of luck in the case.

Sincerely,

Marvin Rich
Executive Director

MR:hm
Enclosure

cc: Ralph Temple, Esq.

May 4, 1966

Mr. John D. Due
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are three checks as follows:

1. Check, $150, for May car use
2. Check, $72.16, covering your salary for May 4, 5, and 6
3. Check, to order of Richetta Brown, covering her salary from April 12 through May 6

Sincerely,

Hope Maynard

/hm
Enclosures

ASSISTANT ATTORNEY GENERAL

Department of Justice
Washington

Northern
Florida

No.
Fla

MAY 6 1966

Carl Rachlin, Esquire
General Counsel
CORE Scholarship, Education
and Defense Fund, Inc.
150 Nassau Street, Room 1707
New York, New York 10038

Dear Mr. Rachlin:

This is in response to your letter of March 8, 1966.

The FBI began investigating the matter to which you refer in response to a phone call received on February 21, 1966. This investigation is continuing and I assure you that, if a violation of federal law is disclosed, appropriate action will be taken.

Thank you for your interest in this matter.

Sincerely,

John Doar
JOHN DOAR
Assistant Attorney General
Civil Rights Division

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

May 12, 1966

Mr. Marvin Rich
Executive Director
CORE - SEDF
150 Nassau St., Room 1312
New York, N. Y. 10038

Dear Marvin:

Please send checks to the following in the amounts indicated. Statements for these outstanding amounts are attached.

[illegible] appearon docket

Mrs. Rosalind Henderson- Court Reporter - Smith vs Campbell	- $46.50	
Mrs. Frances Thigpen - Official Court Reporter - State vs Young	- $ 7.00	
Mrs. Frances Thigpen - Official Court Reporter - State vs Hubert	- $115.50	
Capital Office Equipment Co. -	- $9.79	Ck# 410
Tallahassee Linen Service -	- $13.65	Ck# 411
North Florida Gas Corporation -	- $71.76	Ck# 412
International Business Machines Corporation -	- $63.16	Ck # 413

May 24th

Also attached are copies of checks written against the CORE-SEDF account to date:

No. 218 - Miss Helen Wade - for clerical duties	- $18.00
No. 185 - Miss Helen Wade - for clerical duties	- $11.00
No. 184 - City of Tallahassee - for renewal of bond in Tallahassee vs Gordon	- $50.00

Ck# 414 only $75

6/18 $79.

Yours truly,

John

John

JDD:rjb

Encl (10)

May 18, 1966

Mr. John D. Due
540 1/2 W.Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Enclosed are two checks as follows:

1. Your check, $234.52, covering salary for period ending May 20
2. Check, $122.70, for Richetta Brown, covering her salary for period ending May 20

Regarding your letter of May 12 in which you request certain bills to be paid, Mr. Rich has asked me to relay the following message.

We cannot pay the bills in Smith vs Campbell for $ 46.50
State vs Young " 7.00
and State vs Hubert " 115.50

as these cases do not appear in your docket dated April 27, 1966.

If you have any questions, please write.

Sincerely,

Hope Maynard

/hm
Enclosures

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

RECEIVED
MAY 21 1966
CORE SEDF

May 20, 1966

Mr. Marvin Rich, Executive Director
CORE SEDF
150 Nassau St. Room 1312
New York, New York, 10038

Dear Marvin:

Kindly forward checks in the amount of $23.00 and $25.00 respectfully to Continuing Legal Education for the "Florida Civil Practice Before Trial, and "Florida Civil Practice After Trial". Also a check for $6.50 for Winifred Bell' book, "Aid to Dependent Children". Ck # 448, 49, 50

Attached are bills for payment.

Reporter Loretta Cox	-	State of Florida vs Carol Thomas & Leon Mincey	- $25.00	Ck # 451
Hattie Bell Love	- Official Court Reporter	- James Forton vs Robert W. Hathcock, Individually, etc.	- $75.00 44	Ck # 452
AAA Lock	-	Service call and labor, 2 Kwickset Locksets 2 Duplicate keys	- $31.27	Ck # 453

Yours truly,

John

:rjb

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

JUL 12 1966

June 9, 1966

Mr. Carl Rachlin
General Counsel, CORE
38 Park Row
New York 38, New York

Dear Carl:

Have enclosed our proposed "Articles of Incorporation" for North Florida Legal Services Program, Inc.", and proposed Agenda. If you have any objections, please call immediately.

AGENDA FOR ORGANIZATIONS OF NORTH FLORIDA
LEGAL SERVICES PROGRAM

July 12 - Incorporation of North Florida Legal Services Program. Subscribers are:

Walter Girley (N) - CORE

Paul Hahn (W) - LEGAL FOUNDATION

Rev. Wright (N) - GAINESVILLE NAACP

Marshall Jones (W) GAINESVILLE ACLU

Grace Hardy (N) JEFFERSON LEAGUE FOR VOTERS

Rev. Speed (N) - TALLAHASSEE NAACP

Rev. Steele (N) - SCLC

Rev. Campbell (N) - GADSDEN CIA

Mr. Guy Long (N) - MARIANNA CIA

July 26 - First Board Meeting (After Notice of Incorporation)

1. Election of temporary officers
2. Appointment of JOHN DUE AS ADVISOR
3. Appointment of Scholarship Education and Defense Fund for Racial Equality to assist Corporation to carry on Board of Directors election.

4. Appoint Nomination's Committee
5. Appoint SEDF to Develop Program and Application.

August 10 - SECOND BOARD MEETING ELECTION OF MEMBERS FOR THE yEAR.

SPECIAL BOARD MEETING

TO RECEIVE REPORT REGARDING PROGRAM AND TO ACCEPT SCHOLARSHIP EDUCATION AND DEFENSE FUND AS DELEGATE AGENCY TO CARRY OUT THE PROGRAM.

Yours truly,

John D. Due, Jr.

gj

cc: Marvin Rich

From Joy Watson
to Carl Rachlin
looking to hear from
you soon thank
you very much carl

446 N. macomb Street
June 20, 1966
Tallahassee florida

Dear Carl

I am writing you to let you know that I sent those paper off I sent them to Washington to John Doar to the Justice Department, we had service Men down here hunt and cant get Justice in none of ~~those~~ the casing, we had three mens in Tallahassee And Three mens in north west florida and there going to be other If they dont get Somekind help, I would like to get you to handing my case on the core, And those case much go before the Supeme ~~Court~~ Court seen like Doctor and Lawer and State personlend agreer with All insurance Company, this is the case I was telling you about in Caroline When I came up with Birdess John got the trancreas And would give it to me to send to Washington are ~~to~~ to you all, Please Take actioning as soon as possible) Thank you.

June 27, 1956

John D. Due, Jr., Esq.
340 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Thanks for the photo copy of your note to Carl. If my memory serves me rightly, Carl also requested your suggestions for reducing the cost of the Tallahassee office. This must be done. At our present rate of expenditure, we spend 85 cents out of every dollaravailable for legal defense in Tallahassee. This is far too high.

I would like to have your suggestions for cutting. If we don't receive them, then we will have to make unilateral decisions in New York. Unilateral decisions are always unfortunate.

Please let me hear from you promptly since we are working on the budget intensively.

Cordially,

Marvin Rich

MR:hm

cc: William S. Ellis, Esq.

LEGAL ASSISTANCE REPORT
(NEW CASES NOT REPORTED PREVIOUSLY)

TO: Carl Racklin and Marvin Rich

FROM: John Due

DATE: June 28, 1966

STATE OF FLORIDA vs MOSES DAVIS.

Last January, Moses Davis and other members of the Jacksonville SCLC engaged in picketing of one of the Daylight Grocery Stores East Gate Shopping Center, on the East Side of Jacksonville. All the other prior cases have been Civic Actions Cases regarding Daylight Grocery Company, this new case,. This is a criminal action charging Moses Davis entered into the shopping center, pass through parking area and preceded to parade in and around the sidewalk at the Daylight Grocery Stroe, The manager of the Daylight Grocery Company came out of the store and told the guard to tell Moses Davis to get off of the premises. The guard refused. The police was called, and the police informed Moses Davis and others that they were on private property and to get off the property and parade out in in the streets. Moses Davis and the others refused. They were arrested. Moses Davis and the others had been arraigned, and the case was postponed until last month. Although, I had asked for a copy of the information and all the papers filed against Moses Davis, none were available. The case was fought in the criminal court record of Duval County, Jacksonville, Florida. Of course, the state's testimony was to the effect that Moses Davis and his friends were all massed in front of the doors of the grocery company, prohibiting people from entering and leaving. At the end of their case, I moved for a directed verdict on the grounds that the defendant's had not been given any information indicating what charges they were charge with, failing to state what staute the state was preceding under, and that the evidence produced by the state was insufficient, and was a violation of the first and 14th amendments. The judge then began to speak a long sermon, indicating that Jacksonville had good race relations, Moses Davis and his friends were bad people, etc., which then confused me, because, before he began his oration, he indicated that he was going to rule in our favor. Still, to my surprise, he did rule in our favor. As a consequence, this is the first civil rights case I have ever won at a local court. After the trial, the County Prosecutor hastened to say that he was the clerk to the liberal Federal Judge, Brian Simpson during the demonstrations in St. Augustine in 1964 and therefore that he "too" is a good liberal. However, he promised me that he is going to redraw the information of Moses Davis and under a different statue. The statute which they "had" proceded under was a statute prohibiting trespassing of an enclosed areas. Therefore, it did not apply to Moses Davis. The county prosecutor of course promises to refile the information against Moses Davis, under another statute. Trespass of unenclosed areas. There are two issues involved: (1) Is there double jepordy if the state refiles information on the grounds that the court dismissed the case against Moses Davis only after I moved the state case? (2) Can the state prosecute for criminal trespass for an arrest before a signed compliant by the owner of the premise? (3) Can either the owner or the policeman sign an affavidate or file information against Moses Davis in July of 1966 for an act of trespass that terminated in January of 1966. (4) Whether or not freedom of speech can be restrain and is subject to rights of property when the freedom of speech is exercise upon private property which is used by the public for the benefit of the public?

MRS. JOHNNY POWELL AND THE CHAIRES COMMUNITY - Legal Assistant Program Chaires Community is a community about eight miles east of Tallahassee of highway 27 which is composed of poor Negroes, which are in majority, and poor whites. The concern officially, to poverty in the area are both indicated by one room school buildings and the housing for the principal consisting of a small room behind his office. Even before the local county wide CAP was organized, Mrs. Johnny Powell had developed an idea and program for a big Day-Care Program under OEO. Her proposal had been rejected on flimsy grounds, one ground been that no local CAP was organized and other grouid for techuical resons. On her behalf, we have confered with the Regional Representatives of the OEO in Atlanta, Georgia, and I have been assisting her in drawing up the papers so that she can satisfy the technical requirements of local CAP and the Regional OEO. This is the first time the legal Assistant Program of the Scholarship Education Defense Fund for Racial Equality has participated in the drawing up of a proposal and program for Federal financing for a local community group with our present limited staff. It is realized that we can not draw up programs and proposals for every community group we have contact with. However, by helping Mrs. Johnny Powell we shall develop experience in drawing up proposals; also continuing an identity with Leon County which has been sortly lacking, and we shall be ready to expand this type of program when the legal assistant project is approved.

MRS. JULIA L. KNIGHT - Legal Assistant Type Program.

About the first of June, this program was retained by Mrs. Knight. She was disqualified by the Florida Industrial Commission for unemployment compensation because of her alleged refusal to work. The Florida Industrial Commission Action was based solely upon the recommendation by the local state unemployment office.

MR. JAY WATSON - Legal assistant

Mr. J. Watson, now a part time employee at a cleaners.was employed by a company which was owned by the Dupont Estate in North Florida. A large heavy box fell and injured his foot. Last summer, he retained a private counsel which also represent many insurance companies in workman compensation cases. He had been examined by a doctor, who informed Mr. Watson that his foot was fractured a large object. During the hearing, Mr. Watson heard his attorney and the other attornies say that Mr. Watson should get 10% permanent disability. In September, Johnny Watson, to the contrary from the Deputy Commissioner, order that he was to receive a judgment of 5% temporary disability. Our first step was to appeal the discision. Mr. Watson, having no funds, preceded to handle this as a indigent case, as provided under Florida law, However, as soon as we received the free transcript of the record, there was no hasis upon which we could persue an appeal. Accordingly, in the transcribed depositions, his doctor indicated that his injury was due to a prenatal condition flatfeet. Our next stop is to proceed to see whether or not there is a "conspiracy" by the Florida Industrial Committee with attorneys against Negroes in workmen compensation cases. 1. Mr. Watson has already file compliant with the Federal Authorities. 2. It is in our schedule to find out whether or not Mr. Watson's attorney was also retained by the insurance company. 3. Gather information and affavidates or people who also have been or feel that they have been deprived of their rights due to a conspiracy between the Flrodia Industrial Commission, attorneys, doctors,and isurance companies.

ROBERT HUBERT CASE.

This is a case involving an alleged assault by a Negro upon a white police officer. Mr. Robert Hubert is an indigent who , with his wife have been existing on welfare handouts. Mr. Robert Hubert presently is serving his sentence. for aggravated assault. We assume this case early this year, recognizing that in the state of Florida a public defendant is provided for felonies. Last year, when the judge advised Mr. Robert Hubert at his arraignment that he had a right to counsel and if he couldn't afford to pay counsel he could be provided a public defender, he told the judge that he didn't need a public defender. The reason why Mr. Hubert told the judge this is because officer Comer before the time of plea had informed Mr. Hubert that he had arranged everything and that if he should go head and plead guilty to the charge that is nothing but a so called "misdemenor" he would just be put on probation for 60 days. Therfore, with this information, he did not take the right to a public defender, and the court preceded , and then Mr. Hubert learned that he was been charged with adgravated assault which was a felony and ask him how he would plead. Mr. Hubert then learned that the charge was serious and that he pleaded not guilty. Because of this fear, and suspicious he did not tell the judge he decided that he would try to retain me, learning that I was a "CORE" attorney. I have sent a copy of a transcript of the trial to Carl Racklen, and a copy of my motion to quasi. Whether or not we have any grounds for appellant precedings, has not yet been determined. I cannot get a transcript of the preliminary precedings unless we go head and pay the court reporter for the transcript of the trial.

CHESTER YOUNG CASE

Mr. Chester Young is an unemployed Negro painter, who is a citizen of New York who is in Florida after having served six month in prison. He is a Negrok who has been convicted of resisting an officer with violence. The facts of the case was that he was stopped by this particular officer while dribing on Thomasville Road. He does have a witness, Mr. James Thompson,. Mr. Young and the witness denides that he ever assaulted the officer. However his attorney didn't subpoena his witness. Mr. Yound indicated that he thought a plead not guilty had been entered and that he could go on and return to New York. When he returned to Florida to see his wife he happen to be picked up by the same officer for speeding and brought to jail and therefore subsequently was sentenced. Mr. Young informs me that he never did get a notice that he was to appear in court he claims that plead of guilty or not guilty was never enter. Indicated that also he was not in use of a phone, had been refuse the right to jury trial and that his attorney didn't enter the proper plea. Given the statements, I order the transcript or records, copies of which I have sent to Carl Racklin. Time has expired which shall be on the 28th of this month, for the replies of the defendants.

14th STREET SOUTHEAST LANE MOVEMENT. Civil Right or Legal Assistant Different as in Northern Cities, Negro neighborhoods, in the southern cities, are dispersed throughout. However, through the use of the so-called "housing code" urban renewal, southern city adminstrations are establishing the ghettoizement of the Negro community in the center, by putting public housing only in these areas. Vacation notices are springing up all over Gainsville. In one area, where they haven't sprung is in the 14th Street Southeast Lane Community. This is a Negro community of weather beaten shacks which are the homes of the, Negroes. many of whom living 20 or more years in the area. They haven't received their vacation notices (due to violations of the housing codes by their landlords) because the landlord is a Mrs. Brichetts who is a very powerful person in the power structure. University of Florida students Mike Losioff, Nick Levin, Leon Mincey (whom we have represented in the past) have taken the leadership in organizing the community. This weekend, June 24th - 25th is their first confrontation with the landlord. This is the day the landlord picks up his rent. They have established an excrow fund and they are depositing all of their funds in this escrow fund. The next confrontation is when the landlord will attempt to evict the tenants. Tenants have decided to use, not non-violence, but self defense violence. In othe words, the tenants have thrown away or destroyed all their weapons, and will only use their hands to restrain people or the law from entering their homes to evict them. This confrontation proably will begin next week. We need to have immediately the law regarding the right of tenants to strike and not pay rent. There are some cases in the lower courts in New York which have established these rights. However, these cases have not been reported of being lower-court cases. Please send me the court orders and the compliants, or motions regarding these two or three cases. A key to research is not "West", key system, but Reader's Periodicals check stories (look 1962, 1962 and 1964) regarding Mr. Jesse Gray.

OTHER LEGAL ASSISTANCE WORK

We have spent, after a suggestion from Spiver Gordon, much time, to draw up a voter education and tutoringship proposal, to be submitted to the initially Voter Education Project. The proposal, a copy in which is being sent to Ronnie Moore, details work in the 24 counties of the Second Congressional District, and the second proposal regarding work to be done in the Third Congressional District, comprising Duval county and St. Johns county or the cities of Jacksonville and St. Augustine. Taking a comment of Mr. Carl Racklin that "civil rights activities" have decreased in Florida, we hope to change this trend to a "grass root" so that local people won't have to be so much dependent on national enter-agency politics. Since there is a suggestion that a legal assistant program is subject to civil rights activities. and anticipating this attitude, we therefore have completed the proposal in lieu of completing the work on a legal assistant program which shall, then, be the highest priority. I have observed the election of the representatives of the advisory committees to Indinapolis Legal Assistant Program. and was hoping to gather materials and discuss matters with the Dean of Law of University of Detroit, (who has an OEO grant to develop programs) when I got involved in an accident.

(Report not complete because files are in process of being re-organized)

JUL 12 1966

July 9, 1966

TO: Carl Rachlin
Marvin Rich
Al Lerner

FROM: John Due

WEEKLY REPORT #1 (LAST HALF 1966)

TUESDAY

(1) Conferred with OEO Representatives regarding Johnnie Powell Day Care Center. Incorporation meeting of Non-Profit "Rural Leon County Neighborhood Council" to run that program.

(2) Drew up tentative Incorporation Papers for: BIG BEND VOTER EDUCATION AND ANTI - POVERTY CAMPAIGN.

Purpose: Immediate Goals: Anticipating Spiver Gordon's Resignation and NO CORE program, Re-organized THE JOHN DUE FOR SENATE COMMITTEE into a Non-profit organization to execute a North Florida Voter Education Project. Have anticipation of approval from SRC.

Long Range Goals: This agency to develop Anti-poverty programs run by the Poor, to do functions hencetofore done by the Florida Counsel not of a Legal Nature. To be the structure run other programs of the Scholarship Education and Defense Fund, such as Leadership Training.

(3) Drew up the incorporation papers for the North Florida Legal Services Program, Inc.

Purpose:

To meet OEO objections to our proposal by placing direction and control of Legal Service Program into the hands of the residents to be served.

To block OEO approval of Bar Association Programs. (See enclosed newspapers clipping)

To have a "front" for Scholarship Education and Defense Fund for Racial Equality to continue its legal program, but with OEO assistance, viz: SEDFRE to be the delegate agency to provide program and staff. (At the present time, OEO is using the trick they used in

Mississippi - threaten the power structure thay they better develop a program in "Good Faith Compliance" or they will have to approve the "Civil Right's Organizations" Proposal.)

WEDNESDAY AND THURSDAY

Consultant at school desegregation institute, Payne College Augusta, Georgia. Summary of remarks enclosed. Institute involved mixed teachers from Georgia and South Carolina.

Consulted with John Preston Ward report North Florida Legal Services. See letter to Marvin Rich.

Alanta informed me that scope of their approval of submitted Voter Education Project Proposal will be deliverd July 11, 1966. Was advised that proposal may have to be cut to just Jackson, Gadsen, Leon, Taylor, Madison, Jefferson, Swannee, Hamilton, and Columbia.

Incorporation meeting of BIG BEND VOTER EDUCATION AND ANTI - POVERTY CAMPAIGN.

FRIDAY

First Gainesville Eviction Case - Bridges vs. Wade. No true "rent strike for No. and common Fund for rent type case because lessee in arrears for past due rent and action seeking past due rent rather than present rent. Stipulated settlement.

Discussion about North Florida Legal Service Program and request for suggested Articles of Incorporation with Marie Karl, Atlanta OEO, Paul Hahn, Marshall Jones (A.C.L.U.), and Stanley Laughlin, Law Professor, (ACLU).

SATURDAY

Reports, Agendas, Preparation of Bridges Community Union. Petition (Enclosed rough copy) speaking engagement in Mariana regarding "legal services" before an organization of C.I.A.

COMMENTS:

(1) As usual, trip to Study Law office in Mississippi is delayed regard suggestions for improvement.

(2) Building to "hot" for continuous work - delaying reorganization of files.

Recd 7/12/66

July 9, 1966

Mr. Julian H. Levi
Office of the Dean,
Division of Social Sciences
1400 East 53rd Street
Chicago 15, Illinois

Dear Mr. Levi:

I appreciate very much your expeditiously sending "a" Law review article regarding the legal needs of the Poor to problems of Real Property.

I and Carl Rachlin are representing a group of tenants, who, after notice to their landlord, demanded repairs, formed a "Union", and are withholding rent from the landlord, and are placing their rent in a common fund, later to be used to make repairs. As required by Florida Procedure, the Landlord has begun to deliver Notices demanding possesion or eviction. We are struggling to prepare a petition seeking equitable relief before summons are delivered to show cause why eviction judgment should not be issued.

My first eviction case, July 9, 1966, R. L. Bridges, Plantiff, vs. Bishop Wade, Sr., was more of a "Just another" tenant, (See Article) I found out; the tenant client, for 3 years, has been in arrears to the amount of $91.00.

Consequently, using Mao tactics, we settled out of Court.

Please send me a copy of the "Rent Strike and the Common Law: Non statutory tenant actions to compell landlords to maintain and repair," immediately.

Thank you.

Yours truly,

John D. Due, Jr.

gj

cc: Carl Rachlin
Marvin Rich
Al Lerner

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

RECEIVED
JUL 14 1966
SEDF

July 11, 1966

Mr. Marvin Rich
Executive Director
CORE-SEDFRE
150 Nassau St., Room 1312
New York, N. Y. 10038

Dear Marvin:

Enclosed are copies of checks written on the CORE-SEDFRE account.

Miss Helen Wade	- for part time clerical duties	$ 22.00
D. Peyton Yon, Postmaster	- purchase of stamps	18.00
Jay Watson	- for janitorial services and cleaning suppies	8.00
Mrs. Richetta J. Brown	- Reimbursement for part time clerical help and stamps, Leon County Judge's Court.	17.00
Miss Gwendolyn Jenkins	- for part time clerical duties	37.25
		102.25
Also attached is a bill for payment	- Dictaphone Corporation	61.49

Ck #712
7/18/66

Would you please reimburse CORE-SEDFRE account as soon as possible.

Your truly,

John

John

:rjb

OK
MR

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

JUL 15 1966

July 11, 1966

Mr. Carl Rachlin
General Counsel, CORE
Legal Director, Scholarship Education
and Defense Fund
38 Park Row
New York 38 , New York

RE: Walton vs. State Tuberculosis Board of the State of Florida

Dear Carl:

Alex Walton has been asking me about his case. He was "Fired", November, 1965. He had a hearing before the Board, December, 1965. And after ordering transcripts, the case, by February, 1966, was assigned to L. ~~Barks~~y BARSKY, 291 Broadway, New York, New York. WO-2-0760

Presently, he is not working, waiting on us. Should we tell him not to wait any more?

Yours truly,

John

John

gj

cc: Marvin Rich
L. Barksy

STEVE KNOWS ALL!

7/15 will call today
called — Barsky
out of town - will call
on Mon.

I Sent the paper to
John Doar
U.S. Depantment of Justie
Washington, D.C.

Tallahassee Fla
900 Dean St. Apt 4
July 14, 1966

Dear Ronnie

I am writing you about My paper we was talking about, And you tell Me if I didnt heard from them to write you And let you know, Lister Asker Carl didnt he check into to case that I sent to Washington? And if he had ~~the~~ let me know, I havent got no answer fou Washington yet Althrought I know it take time John say that he had sent in ~~[illegible]~~ Report in on me. One the other boys that got hurt ~~is~~ his case seem to be bad then my is, he havent got any his paper back yet and his case Is better then a month old, And the man need his Money very bad, would you And Carl person look in to the case as quict as passible and quict as you all can And please write me back And ~~[illegible]~~ let me know, (Atory) Gary Wattsen) Ronnie
Moore

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

Phone 222-2317

JOHN D. DUÉ, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

July 15, 1966

Mr. Floyd McKissick
38 Park Row
New York 38, New York

Attention: Herb Callendar

Dear Herb:

As per your request, dated July 13, 1966, I hereby agree to the following:

(1) Convey your request that the CORE car in his possession be released to my custody to be delivered to the person you shall designate.

(2) On behalf of Big Bend Voter Education and Anti -poverty campaign, and Voter Education Project, pay the salary of Walter Girley, during the project, pending his acceptance as Gasden County co-ordinator.

(3) Also on behalf of "Big Bend", request that Spiver Gordon deliver the 3 car radios to me to the use of "Big Bend", during the Voter Education Project.

Yours truly,

John D. Due, Jr.

gj

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

July 18, 1966

TO: Carl Rachlin and Marvin Rich

FROM: John Due

RE: Supplement to Spring Report

ATTENTION: Steve Nagler

City of Quincy vs. Joseph Johnson

Here is report to supplement the Spring Report distributed in May, (Copy of transcript sent to Carl Rachlin)

Joseph Johnson is an indigent Negro who contacted CORE friends in Quincy and asked for our assistence. He was suffering from head injuries caused by city policeman and arrested him allegedly for resisting arrest. We investigated the case and determined that we should assume his defense and to prepare admissions for a case for Assault and Battery against the city of Quincy police for the use of excessive force. Please assist in drawing a complaint.

Please pay immediately the Court Reporter.

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

RECEIVED
JUL 25 196
SEDF

July 19, 1966

Marvin Rich, Executive Director
CORE SEDFRE
150 Nassua St. Rm 1312
New York, N. Y. 10038

Dear Marvin,

We would like to have a paper dispenser for the Photocopy Machine. The paper that we use for the machine is "light" and very sensitive. When there is a copy taken out of the box it becomes exposed. It will save from waste, (when a new person attempts to use the machine - and several "wastes" have occurred), plus it will be faster to use. The price is $40.00.

Is it approved?

Yours truly,

John

:rjb

OK
MR

Ck #641
to L.D.

RECEIVED

JUL 25 1966

SEDF

July 20, 1966

Mr. Jim Fair
124 South Franklin
Tampa, Florida 33602

Dear Mr. Fair:

My Kenneth Rogers referred your Jim Fair vs. Tom Adams to me. I am quite willing to appear in your behalf and promise to support this matter with the full resources of the Scholarship Education and Defense Fund for Racial Equality.

I am the Florida Counsel for the described agency which, in Florida, is to provide Counsel and to initiate legal action on questions of Civil Rights, Civil Liberties.

Although Florida Law regarding registration fees for candidates is not discrimination directly against Negroes, it is in effect discrimination against citizens who are disadvantaged because of poverty, and therefore against Negroes.

It is also an unconstitutional tax as you claim.

If you desire that I represent you, alone with our New York Counsel, Please sign the enclosed retainer.

Yours truly,

John D. Due, Jr.

gj

P.S. Regarding other matters, Jim Fair vs. County of Hillsborough, we agree to represent you for the same above reasons. V.S. ex rel. Jim Fair vs. John Dekle.; Jim Fair vs. Public Utilities; Jim Fair vs. State of Florida; and Jim Fair vs. Nick Nuccio, we would appreciate to know whether you desire to proceed.

cc: Carl Rachlin
Marvin Rich
Steve Nagler

July 25, 1966

John D. Due, Jr., Esq.
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

Will the 12 Amps require special wiring in your office. Have you checked with the owner, Mr. Stafford. Usually, 12 Amps do require extra wiring, though not always.

I am in favor of our supporting the case of Jim Fair vs. Tom Adams. However, I am somewhat dubious of an open end promise to "support this matter with the full rssources of the Scholarship, Education and Defense Fund for Racial Equality," A more appropriate promise would have been to pay necessary and appropriate court costs as you deem appropriate.

Cordially,

Marvin Rich

MR:hm

July 25, 1966

John D. Due, Jr., Esq.
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

With regard to your letter of July 19 regarding court reporters, I would like to know if there have been any incidents where court reporters have been paid and you have been dunned by them.

To send a special letter would create excessive and unnecessary work in this office. Our bills are promptly paid if payment is authorized. There have been one or two cases recently which have not appeared in your docket and where payment was therefore withheld. But this is a function of preparing a thorough docket.

Cordially,

Marvin Rich

MR:hm

July 25, 1966

John D. Due, Jr., Esq.
540 1/2 W. Brevard Street
Tallahassee, Florida

Dear John:

I have a photo copy of your letter of July 15 to Floyd with regard to automobiles and car radios.

The car radios in all CORE cars are the property of the Scholarship, Education and Defense Fund for Racial Equality, Inc. and may not be taken out of the cars or otherwise transferred or disposed of without our permission.

They were purchased by us during the summer of 1965 as a safety device for our Fellowship workers. They have continued to be of use in various communities with our permission.

Cordially,

Marvin Rich
Executive Director

MR:hm

cc: Herbert Callendar
Floyd B. McKissick

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

July 25, 1966 postmarked aug 11

Forward [illegible]

Marvin Rich, Executive Director
CORE - SEDFRE
150 Nassau St. Rm 1312
New York, N. Y. 10038

9/1/66

Dear Marvin,

Attached are bills for payment;

Ck#822
Carol C. Causseaux - Official Court Reporter - James Fortson v. Hathcock, et al. $17.85

Ck#818 Crim Case - indigent accused
we have [illegible]
Frances Thigpen - Official Court Reporter - State V. Hubert $115.50

Frances Thigpen - Official Court Reporter - State V. Young 7.00

Ck#819
Evelyn Harvey - Official Court Reporter - Bridges V. Wade 15.00 ✓

Ck#820
Myrna Roberts - Court Reporter Services - State V. Johnson 91.00
Quincy-

we [illegible]
Priscilla Williams - Court Reporter - State of Florida v. Chester Young 8.75

Ck#821
Paul F. Hartsfield - Clerk of Circuit Court, Steele vs. Tallahassee 12.00 ✓

Steele vs. Tallahassee - this is regarding a so-called "private" Country Club which is allowing its swimming pool to be used by the "White" public.

OK

Also, will you please purchase the following books;

~~Successful Techniques in the Trial of Criminal Cases - $15.00~~ ✓

~~"101 Model Letters the SecretaryMust Write" - or~~
~~Legal Secretary's Encyclopedic Dictionary~~ 7.95 ✓

Thank you.

Yours truly,

John

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

P.S. Would you please photocopy this and notify us as to which checks you will not mail because of their not being included in a report.

RECEIVED

AUG 5 1966

SEDF

August 1, 1966

Carl Rachlin
38 Park Row
New York, 38, New York

Atten: Carl Rachlin
Steve Nagler

Fellows:

Please help! No word from:

Case of Alex Walton
Assigned to: L. Barsky
291 Broadway
New York, New York

Case of Lamar Graddy
Assigned to: ELeanor Beth
501 5th Ave.
New York, New York

Case of Spiver Gordon
Assigned to: Frank Reider
33 Greenwich Village
New York, New York

Please figure out a better way to refer cases there - if it is true in what you say there is "nothing" I can learn from the Lawyers Guild, L.C.D.C. and "Ink" Fund in Jackson.

Yours truly,

John

cc. Marvin Rich
L. Barsky
E. Beth
F. Reider

Big Bend Voter Education
& Anti-Poverty Campaign, Inc.
VEAP Campaign, Inc.
540½ W. Brevard Street
Tallahassee, Florida
Phones: 222-2317
222-2316
627-3077 (Quincy)

1 August 1966

Mr. Horace Sheffield
Citizenship Education
UAW - AFL-CIO
Sheraton Motel
Memphis, Tennessee

Dear Mr. Sheffield:

Organization! That is the key word resulting from the SEDFRE, Frogmore, South Carolina workshop. And North Florida is ready.

We need Labor's support. It is true that experience of Labor in the past to organize the rural concern has been less than successful. But the grape strikers in California, and the present movement among migrant workers as in South Florida shows that Florida is READY to open up.

The immediate need is voter registration. The enclosed materials demonstrate the need.

North Florida is not the 'image' of Florida--But is in fact Alabama, Georgia, and Mississippi...racism, re-actionary conservatism...economic intimidation and exploitation.

And North Florida is potentially the albatross around the neck of Florida.

Mayor Robert King High of Miami, Democratic candidate for Governor does not seem to know...But he needs the Negro vote. The St. Petersburg Times suggests that he would have been nominated without the Negro vote. But in the election, as your experts already see, Central Florida and the Sun Coast is heavily Republican. Democrat Bryant won the election in 1960 with only about a 100,000 votes plurality . The Republican candidate in 1964, in Johnson's year, received more than a 400,000 votes.

Mr. Horace Sheffield
Memphis, Tennessee

Already Kelly Democrats who voted against Burns in the 1966 second Primary are now forming "Democrats for Kirk" organizations. Therefore, the Negro is crucial.

And Labor must be concerned. The State AFL-CIO almost endorsed Burns, a racist. This would have resulted in a terrible permanent split with the Negro.

Labor is needed in North Florida. Please consider that "Organization" precedes "Solidarity". Together the common cause can be achieved.

The iniatial needs are 20 cars with $100.00 expenses for each car for August, September, October, and first week in November.

We are creating indigenous local groups, based on grass roots involvement toward felt needs. But our workers in these rural areas are handicapped with a lack of transportation.

HELP

Yours truly,

John D. Due, Jr.

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

2 August 1966

Memorandum

To: Messrs. Carl Rachlin, Marvin Rich, Alan Lerner
From: Dan Hurley
Re: Establishing a legal aid program in northern Florida

The enclosed schema should be viewed in the following light:

(1) The Florida Bar Association has stated unequivocally that it will not support any form of a legal aid program in which members of the bar do not comprise a majority on the program's governing board.

(2) The regional and national office of the Office of Economic Opportunity have stated that they employ a "working policy" of supporting such demands of the local bar. (A minimal canvas has revealed that there are situations where the bar does not constitute a majority of the governing board. This has been accomplished, however, only in localities where there was a notable absence of opposition from either the community or the local bar.)

(3) Due to difficulties with a legal aid program in the Tampa area, i.e., services for migrant laborers, the Florida Bar is preparing a bid to control a state-wide legal aid program. Though a similar attempt met with failure, the present assistance of the OEO in the preparation of the program-bid, and the active support of Congressman Sam Gibbons, (Chairman or ranking member of a House committee which handles OEO funds), has created an optimistic attitude on the part of the Florida Bar Association.

Considering all of the above factors, we have striven to form an organizational schema which satisifies the state bar's demand and yet retains a strong""participant influence". If you will study the enclosed, you will note that the total membership elects a nine member board -- five of whom will be practicing attorneys. With the membership of the corporation open to all members of the poor, the object is to dominate the total membership, elect a pre-arranged safe-slate consisting of six "known" members and three pillars of the community.

By the time the board has submitted its work proposal to the Office of Economic Opportunity, contracted with the local community action programs to perform legal services and hired a chief counsel and staff, it will be too late to object to the obvious realms of influence.

The need to isolate a legal services program from the existing civil rights organization would seem obvious. (1) The local bar would never allow a civil rights-tinged program to come into existence. (2) Some consideration must be given to the fact that this is going to be a costly operation and that at some time in the future, the local community is going to have to appropriate one half the operating

August 3, 1966

Mr. Jim Pierce
Industrial Union Department
AFL-CIO
P. O. Box 181-44
Tampa, Florida 33609

Dear Mr. Pierce:

We would appreciate very much your assistance to correct the agricultural-labor situation in North Florida. As you know, as reported in June, "Farm Labor Developments":

Vegetable Preharvest	$ .75 per hour
Peaches and Orchard Maintenance	$6.00 per day
Tobacco Shade	$5.00 - $7.00 per day.

Yours truly,

John D. Due, Jr.

gj

cc: Marvin Rich
Walter Reuther

SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND FOR
RACIAL EQUALITY
inc.
150 NASSAU STREET, NEW YORK, N.Y. 10038
TELEPHONE 964-8210

Do we put these in further files: legal or what - General correspondence with Due should be kept there until the case goes to court & then we open a file

August 8, 1966

Memo To: Legal Department

From: Ronnie Moore, Leadership Development Director

RE: Watson Case, Tallahassee

Attached is a photostatic copy of a letter which I cannot understand. However, in a recent conversation with Mr. Watson, I learned that the facts of this case were turned over to our legal representative, Mr. John Due.

Mr. Watson further stated that information concerning his case should be somewhere in the office of Carl Rachlin.

I would like very much for the Legal Department to investigate and inform me as to the present status of the case.

Steve
Do we have these papers?
CR

Contributions are deductible for income tax purposes

■ *president;* Andrew E. Norman ■ *vice presidents;* William S. Ellis, Nannette Sachs ■ *secretary;* Ezra Levin ■ *treasurer;* Shelley Appleton ■ *executive director;* Marvin Rich ■ *leadership development director;* Ronnie M. Moore ■ *legal director;* Carl Rachlin ■ *BOARD OF DIRECTORS;* John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Canon James P. Breeden ■ Dr. Kenneth B. Clark ■ Robert Curvin ■ Charlotte Devree ■ Robert F. Drinan, S.J. ■ John Henry Faulk ■ Doris Freedman ■ Dr. Edward L. Gibson ■ Norman Hill ■ Clarence B. Jones ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

August 8, 1966

Marvin Rich, Executive Director
CORE -SEDFRE
150 Nassau Street Room 1312
New York, New Yorl 10038

Dear Marvin,

Attached are bills to be payed :

A. B. Dick - repairs on mineograph machine -	$8.76	
Mib		
Monthly Catalog of United States Government Publications -	4.50	Ck#752 8/25/66
Institute of Modern Legal Thought, Inc.	5.00	[redacted]

Also attached are checks written against the SEDFRE aaccount;

Mrs. Richetta J. Brown - Reimbursement for part time clerical help for Gwendolyn Jenkins.	41.00	
Tallahassee Linen Service -	13.65	
D. Peyton Yon, Postmaster - Purchase of stamps	13.00	
Miss Gwendolyn Jenkins - Part time clerical help -	27.00	
	94.65	Ck# 740 8/25/66

Please reimbursement the account as soon as possible.

Yours truly,

John

:rjb

uitte Sachs - See Accompanying letter

To Vernon
Fr John

RESUME

Personal Data

NAME: JOHN D. DUE, JR.

Address: c/o Voter Education Project
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta 3, Georgia

Telephone: 525-0595 (office)
794-0587 (residence)
Area Code 404 - Atlanta, Georgia

Official Residence: 14620 Fillmore Street
Miami, Florida

Date of birth: October 22, 1934
Place of birth: Terre Haute, Indiana
Height: 6' 2"
Weight: 210 lbs.
Marital Status: Married
Military Status: Honorably discharged

Education:

High School - 1952-Terre Haute Wiley, Terre Haute, Indiana
Undergraduate - 1958-Indiana University, Bloomington, Indiana
B.A. in Government and Sociology
Graduate - 1963-Florida A & M University, Tallahassee, Florida
LL.B. ~~in Government~~ MEMBER OF FLORIDA BAR AND UNITED STATES DISTRICT COURT.

Intergroup relations experiences or work experiences

1. Present - Eleanor Roosevelt Intern, NAIRO
Supervisor - NAIRO, Nathaniel Greene
2027 Massachusetts Avenue, N.W.
Washington 6, D. C.

From February 1964 until February 1965
Voter Education Project
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta 3, Georgia
Immediate Supervisor, Wiley Branton

Description of work: (VEP is a special program to study the causes of low voter registration in the South and seeks by means of grants and working cooperatively with other groups to ascertain the most effective methods for increasing the Southern electorate.) Consulted with and advised cooperating organizations in the formulation or revision of programs. Assisted in the instruction of voter registration staffs and advised how to meet problems as they arise in accordance with the terms of the grant. Observed and analyzed the activities, methods, and results of the programs. Carried out the responsibility of maintaining close contact with all VEP programs in all the Southern states by regular and frequent visits to the projects. This included full reporting not only the actual performance data, but of the underlying attitudes, morale, and other like factors affecting field workers' performance and their relationship to the project.

Was temporarily assigned to the National Council of Churches and Council of Federated Organizations (COFO) in Mississippi and made a survey of certain types of racial discrimination by means of field investigation, interviews, statement taking, and obtaining witnesses.

Was also assigned to the Legal Defense Fund of the NAACP in Mississippi and St. Augustine. As staff attorney, was one of the first to prepare and file petitions of removal. Developed a means of cooperation between the Lawyers Constitutional Committee, a volunteer group, and the Legal Defense Fund, and acted as coordinator of these attorneys.

2. Volunteer work: Congress of Racial Equality (CORE)
February 1964 until present

As an official, organized an institute-type conference in Durham for representatives of CORE chapters in the Southeast and public, using workshops, with speakers from the North Carolina Fund, U. S. Government officials, and Gov. Sanford's staff. The institute dealt with the 1964 Economic Opportunities Law and the 1964 Civil Rights Law.

Worked as a volunteer attorney in civil rights cases - Quincy, Madison, and Tallahassee, Florida.

3. Volunteer work: National Council of Agricultural Life and Labor
November, 1964

With the National Council which was assisting other farm groups, made a survey of unfair living conditions among migrant workers in South Florida.

Finding those persons who could inform the U.S. Department of Labor conducting hearings in Miami about unfair wages and treatment due to the importation of foreign workers.

4. Between graduation from Law School (1963) and becoming a NAIRO Intern:

Assisted George Lewis, II, Florida Chairman to the United States Civil Rights Commission by defining areas to be investigated and the procuring of witnesses. Also involved in mass student demonstrations at racially segregated movie theaters, with the role of conferring with Judge, our attorneys, and opposing attorneys, in determining legally acceptable peaceful demonstrations and public assemblies, and educating the participants to these guide lines. Became a law clerk to Attorney Earl Johnson, 625 Union Street, Jacksonville, Florida, assisting him in civil rights cases. Associated with Herbert Hekein after becoming a member of the Florida Bar at 764 Arthur Godfrey Road, Miami Beach, Florida.

5. During Law School years - 1960-1963

Was a participant in the Federal Government Honor's program, interning as a student law clerk in the Solicitor's Office of the U.S. Dept. of Labor during the summers of 1961 and 1962.

As a member of Tallahassee CORE, was a participant in desegregating lunch counters and restaurants over a period of 3 years. Also engaged in testing bus facilities in Southwest Georgia and Southeast Alabama during the Freedom Rides.

As a member of Tallahassee NAACP and Inter-Civic Council, represented the Tallahassee Non-Partisan's Voters League in a Southeast Voters Crusade workshop sponsored by the Southern Christian Leadership Conference and the Southern Regional Council.

6. Between Graduation from Indiana University, 1958 and enrolling at Florida A & M College of Law, 1960:

As a member of the Human Relations Council of All Soul's Unitarian Church, succeeded in professionalizing the Mayor's Commitee on Human Relations by educational programs and political activity.

As chairman of the Political Action Committee of the Indianapolis NAACP, organized a program of voter registration, including "meet the candidate" programs, prepared FEPC and Public Accommodations Bills, which were introduced in the Indiana Legislature and participated in organizing community support behind their passage. Assisted in organizing fair employment projects and instituted successful selective buying campaigns.

Was active in re-organizing the Indianapolis Human Relations Council and assisted in preparing a FEPC city ordinance.

Was employed as a correctional institutional counselor, Indiana State Farm. By means of the Socratic Method in interviews with clients (prisoners), attempted to rehabilitate for lving in society.

7. While a student at Indiana University, 1954-1958:

Was a vice-president, and chairman of the Educational Committee of the Indiana University NAACP. Participated and became a co-chairman of the student chapter of the Indiana University American Civil Liberties Union. Organized debates between political groups, arranged socio-dramas, engaged in programs of surveys, testing, negotiating, and picketing of segregated places of public accommodations. Also participated in negotiating with Indiana University relating to opening university housing and off-campus housing, and participated in activities relating to sororities and fraternities with discciminatory clauses.

LOUIS BARSKY
COUNSELOR AT LAW
291 BROADWAY
NEW YORK 7, N.Y.
WOrth 2-0760-1

August 9, 1966

John D. Due, Jr., Esq.
540½ W. Brevard Street
Tallahassee, Fla.

Re: Mrs. Shenezia Rivers and
Mr. Alex H. Walton
w/ State Tuberculosis Board
of the State of Florida.

Dear Mr. Due:

I have reviewed the testimony taken on the 5th day of December, 1965 and wish to make the following comments:

1. The testimony and your initial statement indicates that the hearing was held only on behalf of Mrs. Shenezia Rivers and that Mr. Walton appeared as a witness on behalf of Mrs. Rivers. (See page 164).

2. In spite of the way the record appears, if we can treat the hearing as if both Mrs. Rivers and Mr. Walton were complainants, it seems to me that the primary reason Mrs. Rivers and Mr. Walton were discharged was that they were one of the first to integrate the hospital restaurant and that they confronted their superior who clearly would rather have left conditions as they were.

3. It seems to me that Mr. Wing found it very convenient to rely on Mrs. Strickland's recommendation and complaints in order to justify the discharge of the complainants. I believe that a greater inquiry should be made into Mrs. Strickland's position at the hospital and her relationship with Negro employees, as well as her relationship with Mr. Wing.

4. The position taken by several members of the hospital board and by Mary Schulman, Assistant Attorney General and attorney for the Board to the effect that these two complainants were not discriminated against because Negroes necessarily had to be discharged and that the complainants were Negro is completely untenable, and if I might add "nauseating".

5. It is quite clear that when one is discharged, as a result of vigorously exercising one's civil rights, instead of

COPY

one being discharged because of poor workmanship or lack of seniority, a claim of racial discrimination should be asserted.

6. The testimony elicited at the hearing before the State Tuberculosis Board indicated that Alex Walton was the senior chief cook in terms of service and ability and was highly respected by his peers. The sole reason given by Mr. Wing for the discharge of Mr. Walton was that Wing could do better without Mr. Walton, than the other two cooks. (See page 149). Considering the overall testimony the basis of Wing's decision is arbitrary and capricious. The formal complaint should be filed before The Equal Employment Opportunities Commission.

7. Regarding Mrs. Rivers, I would have to come to the same conclusion. That it appears from the testimony that the underlying reason for her discharge is not based on her seniority or working habits but was based on her exercising her rights in the use of the hospital cafeteria, when many other Negroes were reluctant to do so.

8. I believe these cases should be pressed to a point where the discharge of Mr. Wing should be a demand. He seems intent on running a segregated employment situation in the hospital, in that all of his cooks are Negro, his cashiers are all white, his disticians are all white and the thirty four kitchen aids are all Negro. I do not believe that such a man in such a leadership position at a hospital that receives Federal and State financial support can be condoned. Furthermore, in view of the actions of both complainants in sticking their necks out before it became fully acceptable to integrate the cafeteria, I feel that they should be fully supported by us.

I am forwarding along to you all of the copies of correspondence and letters of commendation previously received by me. If I can be of any further service, please advise.

Very truly yours,

LOUIS BARSKY

LB:jb
Encls.
cc: Carl Rachlin, Esq.
Core National Office
38 Park Row
New York, N.Y. 10038

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

Big Bend Voter Education &
Anti-Poverty Campaign, Inc.
540½ W. Brevard Street
Tallahassee, Florida

10 August 1966

Mr. Earl Henderson
Political Action Committee
UAW--AFL-CIO
Suite 328
1776 Peachtree St.
Atlanta, Georgia 30309

Dear Mr. Henderson:

I appreciated very much the opportunity I had to talk to you Monday.

Although Atlanta SRC-VEP alleges that our grant letter was sent last Wednesday, we still have not received it.

But come what may, we are very busy recruiting local workers and organizing a program of intensive voter registration in the North Florida counties.

Not only should the grant to Big Bend Voter Education and Anti-Poverty Campaign, Inc. be re-doubled ($12,000), but we are in dire need of at least 20 cars for rural canvassing and transportation to the polls, with at least $25.00 per week for each car for expenses.

If Big Bend would receive such assistance from UAW, it would be appreciated.

The program of action is as follows:

(1) Contact leaders in each of the 12 counties, discuss the plan of the program, and get commitments. (This is done in all counties except Levy, Taylor, and Suwannee.)

(2) Organize mass meetings, inviting all groups all over each county, to send a representative. At the mass meeting--recruit precinct workers, area workers, and in urban areas block workers.

Mr. Earl Henderson
Atlanta, Georgia 30309

(not needed in Alachua County, planned in Leon and Hamilton, completed in Madison and Suwannee.)

(3) Organize a "Task force" strike team composed of youth to assist precinct, block, and area workers. Process of being completed in Gadsden, and Jeffers Counties. To be initiated in Leon and Alachua Counties this week.

(4) Each worker to canvass ever house hold for the adults. (see information sheet for unregistered) This is to begin August 15, 1966. To be completed in 2 weeks.

(5) Intensive transportation for un-registered persons with automobiles, both locally owned and rented. Big Bend is unable to finance the renting of cars intensively and local cars are hard to come by. This is to continue for the 30 days the books are open.

(6) Use the same workers and obtain cars to get the vote out.

(7) $150.00 per week for Jim McCain (Political Education Director of CORE), $50.00 per week for expenses to direct the efforts. Jim McCain is in the Process of transferring to another job, and we could use him. He could go on leave.

Yours truly,

John D. Due, Jr.
s/Johnny Lee Watson

17 August 1966

Mr. Marvin Rich

Re: August 15, 1966, letter

Errata

(1) We need Jim McCain for 10 weeks rather than just 10 days.

(2) Please send the proper union contacts regarding union organization of farm workers. You have not replied to previous requests.

Enclosed in the original application for grant to VEP.

Yours truly,

John D Due Jr.

John D. DUe, Jr.
s/Johnny L. Watson

Enclosure: Application to VEP for registration grant.

RECEIVED
AUG 2

Phone 222-2317

JOHN D. DUE JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

August 24, 1966

Honorable John Santora
Judge, Municipal Court
Jacksonville, Florida

Honorable Sir:

I read in the August 10, 1966, St. Petersburg Times, your criticism of Duval County Lawyers failure to represent the alleged "segregationist" Warren Folks.

I have seen personally, how members of the Florida Bar have refused to take cases because of their being "Civil Right's Cases" and because of their being "too controversial".

The United States Courts of Appeals for the Fifth Circuit have taken judicial notice of Southern white Barristers violating their oath in this manner.

Thank God that we have in Duval County and in Florida, attorneys such as the former Circuit Court Judge William Maness, who practice that there should be no difference whether a person is a "segregationist" or a "Civil Right's Demonstrator" in affecting one's right to counsel.

Yours truly,

John D. Due, Jr.

:rjb

cc: Carl Rachlin
Marvin Rich
Tobias Simon
Judge William Maness

5819 Moncrief Road
Jacksonville, Florida
August 24, 1966

Stephen Nagler, Esquire
Office of CORE
38 Park Row
New York 38, New York

Re: William Bernard Langley
vs
City of Jacksonville, et al.

Dear Attorney Nagler:

You received last Monday, August 15, a file of my case to date which had been forwarded to you by the office of [illegible] Attorney John Due, Tallahassee, Florida.

The file was forwarded for your determination as to whether there were adequate grounds for appeal, and if so, whether CORE through perhaps the Civil Liberties Union would undertake the appeal... And if CORE declined, what other arrangement could be made so that the appeal could be handled by you. Attorney Due's office is adamant in their feeling that you are the most capable person around in the field of civil rights.

As you have seen, the Federal District Court in Jacksonville dismissed my second amended complaint for failure to state a claim on July 28, 1966. I filed a Motion to Amend Judgment on August 4, 1966, which to the best of my knowledge should stop the running of the 30 day time for appeal to the U.S. 5th Circuit Court of Appeals until final disposition of said motion. As of this date, no disposition has been made of the motion. This is how matters stand at this time.

Please let me hear from you at your earliest convenience so that I may know what course lies before me.

Very truly yours,

William Bernard Langley
William Bernard Langley

WBL/am

cc: John Due, Esquire
540 ½ W. Brevard Street
Tallahassee, Florida

September 26, 1966

John D. Due, Jr., Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear John:

The office rents for $80.00 for a month and the photocopy machine for $18.91. The office supplies run somewhere around $30.00 or $40.00 per month. Generally, we have averaged a total expenditure of just under $2,000.00 per month for all expenses, including salaries, rental, equipment, books, supplies and court costs for your office. This also includes your phone bill which last month was $573.00.

I will send you a more detailed breakdown of your expenditures during the past year when the auditor completes his report. He is now working on it.

Best of luck.

Cordially,

Marvin Rich
Executive Director

MR:ca

enc.

P.S. Would you please pass these references along to Pat.

File

September 26, 1966

John R. Due, Esq.
540½ W. Brevard Street
Tallahassee, Florida

Dear John:

This is to confirm our conversation in your office and finished in the motel on September 13th.

As of October 1, the relationship between S.E.D.F. and John Due will change to this extent: S.E.D.F. will give to you a sum of $13,500 for the ensuing year. It is understood that $2,000.00 of this money is for expenses of cases as they develop, that is, filing fees, court records and the like. The balance of the money is for services that you perform for S.E.D.F. You are obviously free to spend this money as you see fit. As, for example, for your rent and general overhead, telephone and the like. For this you will represent S.E.D.F. in Northern Florida and handle civil rights and related cases in the name of S.E.D.F. and, of course, we will give you as much assistance as humanly possible.

You are free, of course, to accept retainers from others for performance of your legal services. The area in which you work is badly in need of your services as representative of S.E.D.F. and the handling of civil rights and related matters and also for private legal work.

I'm reasonably sure this will work out well for everybody. It is important for you as a young attorney to develop your own practice amongst the people you work with.

Marvin Rich wants to know how you want the payments to be made.

With warm personal regards.

Sincerely yours,

CR:tp
cc: Marvin Rich

Carl Rachlin
General Counsel

PHOTOCOPY [illegible]

SEP 29 1966

September 28, 1966

Attorney John Due
540½ West Brevard Street
Tallahassee, Florida

Dear John,

The answer you gave my secretary about Marvin Rich owning the radios that I have asked you to return, is nothing but an excuse for you not to return them to us. When Spiver asked if he could use the radios; I didn't tell him that I had to check with Marvin, nor did I check with Marvin before giving Spiver the radios. Marvin put the radios in the hands of the Southern Office to be used as we saw fit to do so, and until such time as he request that I or CORE return the radios to SEDF, I remain responsible for deciding the location and the use of the radios.

I certainly understand the feeling on your part to keep the radios in Florida, but we are committed to use them for the elections in Alabama and Louisiana and for our police patrol in New Orleans. I hope that you will understand our problem and position and ship the radios to us at once.

Sincerely,

LOUISIANA CORE OFFICE

Isaac Reynolds

Isaac Reynolds, Director

lmw/IR

October 3, 1966

John D. Due, Jr., Esq.
540½ W. Brevard Street
Tallahassee, Fla.

Dear John:

Enclosed is your monthly check for $958.33. We have paid many of the bills which were incurred before October 1st and are in the process of paying the balance. The accountant will be here on Thursday and we will send you a detailed listing of all of these. As Carl indicated in his conversation with you and in his letter, we will pay you this monthly retainer and will pay actual legal expenses, including court fees, up to a total of $2000.00 for the year on cases which are approved by Carl.

With best wishes,

Sincerely,

Marvin Rich

MR:eo
Enclosure

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

October 3, 1966

Isaac Reynolds
Core Southern Office
2209 Dryades St.
New Orleans, La. 70113

Dear Isaac:

To the contrary, we do not use the radios, although Spiver took one and one is in the Core car, and one is in my office. None work or no one is operating them.

The fact remains that when I indicated to Herb that I had the radios, Marvin Rich was quite clear that I was to hold them until further notice from him. Maybe Marvin will pursue this.

Yours truly,

John

:rjb

cc. Marvin Rich
Floyd McKissick

P.S. I sent a copy of your letter to Floyd and Marvin.

M. Rich

October 10, 1966

Mr. John D. Due, Jr.
540½ West Brevard Street
Tallahassee, Florida

Kenneth Rogers, Esq.
Florida A & M University
College of Law
Tallahassee, Florida

Dear John and Ken:

The more I think about it, the more anxious I am to undertake mitigation in behalf of both Negro and white students who will be deprived of legal education because of a phasing out at the A & M Law School. It seems to me that those potential students who have not been admitted this year, or who will not be admitted next year, who normally would have been admitted to A & M, and cannot be admitted to Florida State, have a cause of action. That cause of action is based upon the 14th Amendment in that a valuable right, namely, the right to practice law, has been taken away from them.

In addition, the young Negro students also may claim that while ostensibly Florida State is open to all, because of the poor education that the State of Florida has given to young Negroes, they cannot meet the standards of Florida State College or of the University of Florida. By that fact they are denied equal protection of the law. This may also be true of white students coming from poor, neglected counties where white education is also second rate. I would like to hear from you in this regard and if you are interested I suggest we move ahead promptly.

I am also interested in that law suit which Ken and I discussed.some months ago about the attack on some or all of the fees charged in order to be a candidate for office particularly for the U. S. Congress which I think would be a pushover to win.

With best regards,

Sincerely yours,

CARL RACHLIN
General Counsel

CR/art

cc: Marvin Rich ✓

P.S. Thank you, John, for enclosing a copy of the calendar of the Fifth Circuit with regard to Steele v. Taft. Fortunately, the case has taken on considerable importance and some of the people who watch the calendar have advised me about details. I expect to go to New Orleans probably the day before the argument in order to think and prepare. I will discuss this with you beforehand.

October 10, 1966

The City of Tallahassee
City Hall
Tallahassee, Florida 32304

Gentlemen:

Enclosed is our check in the amount of $10.94, covering the utilities due for the location at 540½ West Brevard Street.

In the future this bill should be sent directly to Mr. John Due at the Bevard Street address. He will be responsible for these bills.

Sincerely yours,

Marvin Rich
Executive Director

Enclosure
MR:eo

October 11, 1966

Mr. John D. Due, Jr.
540½ West Brevard Street
Tallahassee, Florida

Dear John:

To followup our conversation and correspondence, I would like to clarify one additional factor. Any equipment that you purchased or books that you purchased in the name of S.E.D.F. and for which S.E.D.F. has made some of the payment, S.E.D.F. turns over and assigns all its rights to you. You, of course, will make any payments that may hereafter, that is after October 1, 1966, be due. Of course, this also applies to the items on the premises where the office is kept, and the premises itself.

Obviously, it goes without saying that you still are the Florida Council for S.E.D.F. and there is no change. Our relationship to that extent does not change. Clearly we will work with you just as intimately as possible and I am available at all times and for any assistance you need for any problems you may have.

I intend to visit with you from time to time to discuss any mutual problems.

Sincerely yours,

CARL RACHLIN
General Counsel

CR/art

cc: M. Rich ✓

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

October 28, 1966

Marvin Rich, Executive Director
SEDFRE
150 Nassau St. Room 1312
New York, N. Y.

Dear Marvin,

Would appreciate very much to accompany Attorney Leonard Pepper, local Civil Liberties Attorney, who is not practicing, to Washington, to discuss the North Florida Legal Project.

Attorney Leonard Pepper, (Carl, you met him), our promoter and future chairman, is willing to go to Washington, D. C. next month, to discuss the matter with Director Johnson, Gibbons, and Cahn.

I would appreciate very much that we could all meet in Washington; You, Carl, Marvin, Law Students Ira Simmons, and Dan Hurley, and myself.

While there, I would like to discuss with Jerry Wurf an approach to under gird the organizations of lowly paid public workers.

Also, Marvin, I would like to be able to go to New Orleans on November 9, 1966 re: Steele vs. Taft case to be argued then.

OK The roundtrip fare to New Orleans by plane - $49.04

The roundrip fare to Washington by plane $100.28

Yours truly,

John D. Due, Jr.

cc: Carl Rachlin

October 31, 1966

Mr. John Due
Attorney At Law
540½ West Brevard Street
Tallahassee, Florida

Dear John:

I will approve spending up to $65 for a trip for you to New Orleans for Steele vs. Taft on November 9th. Please make the arrangements and send us the bill after the trip is completed.

I know very little about your proposed trip to Washington. But from what you said this money should probably come from local sources.

On what date do you plan to go to Washington? Secure O.E.O. approval. Carl and I would like to do what we can to help/but it does take some agreement on schedule.

Sincerely,

Marvin Rich,
Executive Director

MR:ha

To: Carl Rachlin, Steve Nagler, Marvin Rich

From : John Due

Date: November 3, 1966

Re: Questions, comments, and reports.

CASES REMANDED AND DISCUSSED

During the first week of August, 1966, many cases which we have had in the North Florida Federal Court were remanded or dismissed, either voluntarily or involuntarily, which we decided not to appeal. Some of these cases included criminal cases, moved from State courts to Federal courts, and several damage suits or injunctions. Most were within the Peacock vs. Greenwood rule. Others were doubtful or which seemed to be within Rachel vs. Georgia, we agreed with Federal Judge William A. McRae, Jr. to dismiss our civil suits if the prosecutors, at the state and city level agreed not to prosecute on the criminal side.

Your writer agreed on the basis that many of these cases were 1965 cases, involving witnesses or plaintiffs whose whereabouts are unknown. Also, because the fairly sympathetic Judge, Brian Simpson, has retired from the bench and I do not expect too much from Judge McRae. Judge McRae urged upon us that in the light of "racial harmony" and changing attitudes, we should remove sources of bitterness. Since Judge McRae is the federal judge with whom we must work in the northeast Florida area, I believe that he should be informed of the way things are, as Judge Simpson had to be informed. Therefore, I feel that exercising good faith on my part would put the burden upon the "friends" on the other side. The cases so dismissed are as follows:

Dukes etal. vs. Cherry Lake

This is a suit to desegregate Cherry Lake. At the present time

Negroes can use the facilities at Cherry Lake, but at their own risk. In other words, the county is not operating the facilities. Since the dismissal of this case, the Dukes and their friends went to the beach in August. They were threatened by other white persons. Because the Sheriff's Department was slow to provide protection, I sent a telegram to Judge McRae, questioning the new "racial harmony". I asked his influence to informally warn the local officials.

Willie McDaniel

This is another suit against the city and the police.

City of Madison vs. Jesse McCall

This is a petition of removal which was remanded and there was no prosecution.

Bigelow vs. Pridgeon

This is a civil suit that was against the deputy sheriff, for an assault against Bigelow, an SCLC worker.

Freeman vs. McKindra

This is a 1965 St. Augustine case which was removed and remanded.

Pinkney vs. State of Florida

This is another 1965 case in which Gene Pinkney driving on the highway, held out his 2 fingers for freedom. The State Police arrested him for "obscene gesture". The case was remanded and the State did not prosecute.

Washington Case

Another 1965 St. Augustine case which was also dismissed.

OTHER PROBLEMS

Lois Chaffee vs. Johnson
State of Mississippi, 1964

Please inform me as to the final outcome or statues of this case. Is the Stokley Carmichael injunction to prohibit the prosecution of his criminal case a similar type action?

Alex Daniels Case

Last summer, we had a case in which the Coroner's Report stated "self strangulation in jail". I went to Panama City to investigate. Two youths told me that they had seen two officers beating a Negro the same day at a woods.

In the woods where the beating was to have taken place, I found a piece of rag. When this rag was shown to the widow, she screamed and fainted.

Of course, I believed that I was back in the jungles of Amite, Liberty County, and immediately began calling my office every 30 minutes to inform them where I was, until I got back to Quincy. FREEDOM. But after further investigation, apparently we were mistaken about the rag.

See the Dan Hurley memorandum.

? CORE ? Do you believe a cause of action lies against the police of the city as an insurer?

Gadsden County Voter Registration Case

I still have in my file, a 1965 complaint to be filed against the Supervisor of Elections of Gadsden County and the County Commissioners in order to open the books 6 days a week including

Saturdays. Under Florida law, the county has the discretion to have the books open only one day a week, except sixty days prior to an election. Then, during the first thirty days, the books must be open 6 days a week. The final thirty days before election, the books are closed. In Gadsden County, the county so exercises its discretion that they keep the books open just one day a week which is Monday. In south Carolina, it is the same situation, the books being open only a few days each month. Do you think SEDFRE would be interested in pushing this as a special case and also file a similar case in South Carolina? Enclosed is a copy of a rough draft of a complaint.

City of Tallahassee vs. Gordon

Please send the promised brief or memorandum of law regarding the City of Tallahassee vs. Spiver Gordon. Please be advised to send such brief by registered mail with return receipt. Your informed me Steve, that you sent me a brief. But Laura or Miss Brown never remembered such a brief coming into this office. There have been other events where there is suspicion that the mail has been opened by the P.O., so, a word to the wise is sufficient. As I told you, before, in March I filed a motion for a continuance on my motion for a new trial on the grounds that I had the Johnson case in the Circuit Court. They did not inform me that they denied my motion for continuance, therefore, I assumed that the case was continued on the motion for a new trial. I was just resting easily when I so happened to be by the police statei station with Spiver Gordon to get a license to operate sound equipment in May. When said Officers said, "Spiver stay here, you are going to jail." Under the circumstances, I paid $50.00 which I have not as ayet been able to be recompensated by SEDFRE. Because of the failure of the City Court to provide me notice, I believe I can reopen the case, and get my $50.00 back at least.

Joseph Johnson Case
Police Brutality in the City of Quincy

In this case, we have an officer of the law who I believe used excessive force to make an arrest of a harmless old man. Mr. Johnson is still suffering blackouts and pains. Enclosed is a transcript of the record. Do you believe that we have sufficient basis to file a suit under 1983, 1985, for damages?

William Langley

It may be admitted that the William Langley case should not be handled as a civil rights case because of the complex issues involved. However, Jacksonville SCLC believes that this is a very good case regarding community organization. Can a New York attorney be assigned to assist me in this case? Please return the file if the answer is no. In any case, return the file.

Aaron Marks

Here is a file on this case. Mr. Aaron Marks was assigned an attorney only at his arraignment where he was to plead guilty or not guilty. There were only a few minutes of conference between Mr. Marks and the attorney who was assigned to him by Federal Judge Harold Carswell. Do you think that we could revoke his sentence on grounds that there was no attorney assigned at the time of his arrest? The interest in this case is that Mr. Marks is the Negro in Jackson County who kept a white female CORE taskforce worker in his home. After Mr. Marks pleaded guilty, he wanted to change his plea and saw me, but Judge Carswell would not let us withdraw the plea.

Joseph Webster Situation

Mrs. Rosalie Webster is the mother of Joseph Webster, who is a Negro student at the formerly all white Jefferson High School. Joseph was always picked upon by a trouble maker by the name of King. He was a white boy at Jefferson High School. One day in July, at the school, this same King boy assaulted Joseph Webster. The King boy is 16 years old. The mother complained to the judge of the juvenile court, who is of course, Mr. Kenneth L. Cooksey. He informed Mrs. Webster as to when he was going to call her to appear or call her son. She never got a notice to appear. When she called the judge later, he said that the King boy admitted what he did and that he put the boy on probation. Under Florida law, all proceedings against juveniles are secret, therefore, I do not believe there is anything I can do to determine whether or not Judge Cooksey failed to exercise his duty and therefore deprive a Negro of equal protection under the law. I have written a letter to Mrs. Joseph Webster that we are willing to file suit for damages against the King boy and his parents. Maybe we will then subpeona Judge Cooksey to determine whether or not the boy did admit his wrong. What do you say?

November 7, 1966

Mr. John Due
Attorney At Law
540½ West Brevard Street
Tallahassee, Florida

Dear John:

Enclosed is your check for November retainer. Good luck on the Steele case. It is an important one.

I will show your parliamentary procedure manual to Ronnie and we will discuss it. You will hear from us shortly.

Cordially,

Marvin Rich,
Executive Director

MR:ha

John Due file

To: Leonard Pepper, Carl Rachlin, Marvin Rich, Dan Hurley,
Ira Simmons, Kenneth Rogers

Fr: John Due

Re: North Florida Legal Program

Date: November 18, 1966

At this point of dictating, I have not picked up Dan Hurley's and my papers on the North Florida Legal Program from Attorney Leonard Pepper. I have received a copy of the Florida Legal Project and I shall receive some copies of the Florida A&M University project. I will also attempt to get a copy of the Eighth Judicial Circuit project ; the Miami Project, and the Migrant Legal Services Project. I will try to get a copy for each of you to study.

I believe that we had better incorporate. Regardless of how undemocratic the control is of other legal agencies, we must assume that we will be suspect at the very beginning. We must be proper.because the Florida Bar demands that the majority of the controlling Board be composed of attorneys and because the OEO has a written policy requiring the poor to represent themselves.

I believe that the Articles of Incorporation, which we have drawn up should be revised to show that the Board of Directors is to be composed of seven persons initially. But of course, there is to be no limit to the number that could be eventually chosen. The Articles must show that the Board of Directors shall chose from itself the officers who are to serve the corporation. The Articles of Incorporation must show that the Board of Directors by a majority vote may appoint other to the Board of Directors. The Articles must show that the Board of Directors, by a 2/3 vote, may amend the Constitution. The Articles must show that the poor from each judicial circuit shall chose its representative. The Articles of Incorporation must show that we are serving initially three judicial circuits. I do not believe that it is necessary to put in the Articles that the majority of the Board of Directors shall be attorneys, since this is not included as part of the 1964 Equal Opportunity Act. However, it may be included in the by laws.

Within the next few weeks, I propose that legal advertisements be made in the weekly newspapers in each of the counties of the judicial circuits. The legal advertisements can be as follows:

To the Poor, Deprived, Disadvantaged, and Poverty Stricken of County.

Elect your representative to represent you on the Board of Directors of the North Florida Legal Assistance Program. The purpose of this program is to apply legal action to attack the cause and problems of poverty. You are invited, regardless of race, color, or creed. Attorneys who are members of the Florida Bar and who are willing to serve on the Board of Directors write:

John D. Due, Jr.
540½ West Brevard
Tallahassee, Florida

The meeting will be held at the Church, at , 1966.

I think that the legal advertisements should say that attorneys should contact me before the meeting.

At the meeting, I would, for example, nominate the following people to be member of the Board of Directors.

1. Mr. Gye Long: He will represent the Fourteenth Judicial Circuit. He is a Negro farmer, living below the poverty level. He is very active in in the NAACP, voter league, and a civic interest group and other problems related to poverty. Hes is a leader in his community.

2. Mrs. Grace Hardy: She should represent the Second Judicial Circuit. She also is below the poverty level. She is chairman of the Jefferson County Voters League, very active in voter registration and civil rights problems in that community.

3. Rev. Jenkins: He is very active in NAACP and voter league. He is also a leader in his community.

I shall have letters prepared to be signed by the following attorneys: Attorney Leonard Pepper, John Ausley, Harold Brainen, Attorney Jackson in the governor's office.

This is the letter:

Dear Mr. Due:

I have read your legal advertisement in the paper regarding attorneys who are willing to serve on the Board of Directors of the North Florida Legal Program.k Being concerned about the problems of poverty, I have actively engaged in trying to remedy them. I would be willing to serve as a member of the Board of Directors of the North Florida Legal Assistance Program.

Yours truly,

Upon election of the representatives, from each of the judicial circuits, at the particular meeting, I shall suggest that the slate of attorneys also be electer to the Board of Directors. These attorneys of course, shall already have written a letter that they are willing to serve. After the election of a Board of Directors, they shall sign the Articles of Incorporation. Of course, the Articles shall show that they are to serve for one year, the next election being one year from the notice of incorporation.

Any ideas Folks?

MEMORANDUM

November 22, 1966

JIM FAIR CASES

Jim Fair vs. Tom Adams

This case is a test regarding the exorbitant registration fee which the State of Florida and the Democratic Party charges a person who wants to be a candidate. We wrote a letter on August 5 and indicated to Mr. Fair that this would be the case on which we would concentrate.

We received a letter also from Mr. Edward W. Wadsworth, Clerk of the United States Court of Appeal, Fifth Circuit. He indicated that on December 30, 1964, the court denied Mr. Fair's motion for leave to appeal in forma pauperis in the above case. On January 20, 1965, his motion for rehearing on his motion for leave to appeal in forma pauperis was also denied. The record on appeal in the case was never officially lodged with the office of the Clerk of the District Court. Do you, Carl, think that it would be advisable to initiate the suit over again? It would appear that the time has tolled in any case regarding the procedural difficulties in this case.

Jim Fair vs. Public Utilities Commission of the State of Florida

This was a suit to restrain the Commission from setting up a political booth at the State Fair in Tampa. The booth was alleged to advertise the incumbants as political candidates.

Jim Fair vs. John Dekle

This case was to challenge the loyalty oath which a person must swear to in order to be a candidate in the party. Although, there may be a civil liberties question involved, this is not consistent with our support of the Mississippi Freedom Democratic Party's demand that Mississippi Democrats support the National Democratic Party.

Jim Fair vs. State of Florida

This is Jim Fair's reapportionment suit which also alleges malapportionment regarding the state Democratic Executive Committee in as much as the Executive Committee is composed of two representatives of each county in the State of Florida. He also alleges discrimination against women.

MEMORANDUM

November 22, 1966

JIM FAIR CASES

Jim Fair vs. Tom Adams

This case is a test regarding the exorbitant registration fee which the State of Florida and the Democratic Party charges a person who wants to be a candidate. We wrote a letter on August 5 and indicated to Mr. Fair that this would be the case on which we would concentrate.

We received a letter also from Mr. Edward W. Wadsworth, Clerk of the United States Court of Appeal, Fifth Circuit. He indicated that on December 30, 1964, the court denied Mr. Fair's motion for leave to appeal in forma pauperis in the above case. On January 20, 1965, his motion for rehearing on his motion for leave to appeal in forma pauperis was also denied. The record on appeal in the case was never officially lodged with the office of the Clerk of the District Court. Do you, Carl, think that it would be advisable to initiate the suit over again? It would appear that the time has tolled in any case regarding the procedural difficulties in this case.

Jim Fair vs. Public Utilities Commission of the State of Florida

This was a suit to restrain the Commission from setting up a political booth at the State Fair in Tampa. The booth was alleged to advertise the incumbants as political candidates.

Jim Fair vs. John Dekle

This case was to challenge the loyalty oath which a person must swear to in order to be a candidate in the party. Although, there may be a civil liberties question involved, this is not consistent with our support of the Mississippi Freedom Democratic Party's demand that Mississippi Democrats support the National Democratic Party.

Jim Fair vs. State of Florida

This is Jim Fair's reapportionment suit which also alleges malapportionment regarding the state Democratic Executive Committee in as much as the Executive Committee is composed of two representatives of each county in the State of Florida. He also alleges discrimination against women.

Fair vs. Nuccio

Mr. Fair charged corruption against the mayor of Tampa. The United States Supreme Court denied the Petition for writ of certiorari on October 10, 1966. Mr. Nuccio sent a copy and asked us to file a rehearing, but in July, we told Mr. Nuccio that it was only the Fair case we could be concerned with. However, the case got involved in a question of contempt of court against the judge. I believe that I have sent that transcript already to New York.

Fair vs. Hillsborough County

This is interesting because it claims failure by the county and the supervisor of elections to enforce a special law which requires registrars in each precinct or neighborhood at night, 8 weeks before an election.

Hepburn vs. Rutledge Pierson

In the fall of 1963, Mr. Hepburn was the Executive Secretary of the Jacksonville branch of the NAACP and Rutledge Pierson was then the president of the local branch of the Jacksonville NAACP. Mr. Hepburn is from the West Indies and was very active in organizing unions in Miami, was chairman of the State Conference of the NAACP Labor Committee. Patricia was very good friends with both of them. Many members of that branch were arrested and during the May and June 1963 demonstrations, when Patricia was suspended from school, the Jacksonville branch carried on an effective boycott of the football game of A&M and Texas Southern which was held in the Gator Bowl in Jacksonville on November 28, 1963.

Three years later, friendship has been lost between Pierson and Hepburn. Both of them have been accusing each other of selling out and selling union powers. This is a result of Rutledge Pierson resigning from his position as school teacher and assuming a role as an International Representative with the Laundry Workers and Dry Cleaners and Dye House Workers Union. His job was of course to organize the Laudry workers in the community. Mr. Hepburn had been working with the retail workers for the last year and one half. Mr. Bush and the International First Vice President of that union came to Tallahassee to speak to Spiver Gordon and myself about organizing "community" unions. Their purpose was to organize and and every kind of industry. They had talked to Mr. Hepburn. Within a year, Mr. Hepburn has organized poultry workers, tryed to organize supermarkets, which got SEDF involved regarding Daylight Grocery, and now is involved with the Laundry Workers also.

Robinson

In order to avoid having the animosity blow up into the community to the detriment of the Laundry Workers, Mr. Harry Bush called Cleveland Williams in New York, in his capacity as president of the American Negro Labor Council. He then called Rev. Steele who asked me to come with him in order to see what role we could play in order to resolve the difficulty. In the four day session, I was very impressed seeing how Mr. Williams was able to play this very meaningful role. The result was, that both unions joined a common front as reagrds management. A contract has been signed.

My concern is that in 1965, the AFL, CIO kicked the Laundry Workers and Dry Cleaner Worker and Dye House Workers Union out and formed a federal union of these people. It was with this union that I worked, along with Mr. Herb Shotney, the national vice president in Indianapolis in 1958. Before I went to Jacksonville, I called Herb Shotney, explained the situation and asked him what part his union played in this area. He indicated that the union has no part in the State of Florida, except for one local which is in St. Petersburg. This is due to the Florida right to work law. Apparently, because of the success of the Scripto strike in Atlanta in November 1964, labor is now using Civil Rights leaders in order to get community support in organizing in the South. This may be alright. But I know that in 1965, neither Spiver Gordon or Stue was very much sold on the idea of the union, state, county and municipal employees, organizing the Chattahoochee State Hospital employees. Particularly so-when the international representative was apatent Burns supporter and was a little too patronizing in his speeches to the basically all Negro group there.

I indicated to Rutledge Pierson the interests of many of the people in the laundries here in Tallahassee, who want to be involved in a union. Rutledge Pierson has indicated that he is going to see his employers as to whether or not they can retain me as an attorney. I would appreciate very much knowing whether or not you can inform me how these particular unions are, the Retail Clerks, the Laundry Workers, Dry Cleaners and Dye House Workers Union, who are now affiliated with the Teamsters and the Federal AFL, CIO laundry workers and Dry Cleaner Workers Union. I would like to know how these union rate, both nationally and in the South.

I sentyou reports already on the Norman Robinson case. I am working with Attorney Irwin Block, a criminal lawyer down in Miami. However, I have no committments from his or from any other group to support me in this case.

Norman Robinson began to work in Jefferson County about the same time that Spiver Gordon resigned. He was working in voter registration and also trying to organize people for the AFCS agricultural elections. His work also entailed investigation of complaints regarding public accomodation or any other violation of civil rights. While he was investigating a complaint about a service station attendant, he was involved in a shooting scrape with Mr. Hodge. They have charged him with assault to commit murder, first.degree.

Carl, I remember two years ago you were upset and mad at the Legal Defense Fund for not definding C.O. Chinn. C.O. Chinn at that time was arrested for carrying a concealed weapon or illegal possession or possession of a pistol without a license. I am quite sure that the difficulty with the Legal Defense Fund was that C.O. CHinn was not a civil rights case to them. For this reason, I believe you are able to jusitfy the LCDC and SEDF to carry out a legal program

Arrested along with and charged with the same offense as Norman Robinson is Mr. Owen Hardy. Mr. Hardy is the husband of Grace Hardy. Mrs. Hardy is no less a leader in civil rights in the community in Jefferson County, than C.O. Chinn. It is just that Grace Hardy has never been supported financially by CORE as C.O. Chinn was. I surely hope that SEDF can assume this case as legal expenses begin to accumulate on us. Do you think after reading this report and the last two reports regarding Norman Robinson, that I can justify removing this case to the Federal Court and avoid the Peacock vs. Green rule? I appreciate any answer before December 14, the date of the trial.

While I am dictating this, I am preparing to do a study on the Harry Kearse case which has been reported on earlier in 1965 reports. This case has been remanded back to the state courts. Because there are 4 trials involved, I probably will move to remand these back to the Justice of the Peace Courts and see whether or not I can get my clients off ad easily as possible. I do not have the resources to stay in St. Augustine for four days of trial.

I would appreciate a reply and responses to my previous memorandum reports.

Yours truly,

John D. Due, Jr.

November 25, 1966

Mr. John Due
Attorney At Law
540½ West Brevard Street
Tallahassee, Flordia

Dear John:

I am sending a check for $76.01 and will send you a check to cover your expenses from the New Orleans trip.

Sincerely,

Marvin Rich,
Executive Director

MR:ha

November 29, 1966

Mr. John Due
Attorney At Law
540½ West Brevard Street
Tallahassee, Flordia

Dear John:

I have already sent you a check for $76.03 covering the following bills:

1. Paul F. Hartsfield, Clerk of Circuit Court
   $ 1.00
2. Capital Office Equipment Co, Inc.
   $ 24.52
3. Southeastern Telephone Co.
   $ 50.51

I am also enclosing a check for your travel expenses to New Orleans. Also enclosed are the bills which we can not pay. I thought you would need these to keep your credit going. Most of these represent obligations which we specificly rejected or never assumed.

I read with some interest your memo on the North Flordia Legal Program. I noticed that you said that you do not believe that it is necessary to put in the article that the majority of the board shall be attorneys, since this is not included in the act. However, I believe that it would be very wise to put this in so as to reduce friction of the bar.

I understand Pat is pregnant again. My best to her and you.

Cordially,

Marvin Rich,
Executive Director

MR:ha

[Nov. 1966]

To: Student Education and Defense Fund for Racial Equality
American Civil Liberties Union

Attn: Attorney Irwin Block

Re: State of Florida vs. Norman Gus Robinson

Enclosed is a copy of the warrant in the Court of the County Judge of Jefferson County, Florida.

On November 7, 1966, my secretary, Joan Mersman, went with me to Monticello. After leaving me with one of the witnesses, she went to the Court House and was there at 9:00 A.M., to observe all events as they occured in the court room. I advised her not to speak to the Defendant, Norman Robinson, or to indicate that she was my secretary.

She had a copy of a jury list which I received Saturday. This list is pursuant to my request for a list of all Grand Jurors and Petite Jurors. The list is also enclosed in this letter.

At about 9:30 A.M., a strange Negro girl of about 18 years of age, asked her if she was representing CORE. She said that she was not. The girl left and went into the room used by the State Attorney, the Judge and the defendants. Then, a deputy sheriff entered the room, walked around the room and spoke to Joan.

Subsequently, all those who were to be serving on the jury list came, including one Negro. His name is Eddie L. Simpkins. The others, who were on the jury list, 40 persons, are all white.

There was the counding of the criminal docket, the calling of the lists, the oath, and then the choosing of the Grand Jurors by pulling names out of a hat. The Grand Jurors are:

W.E. Shelley
E.B. Bailey, Jr., Foreman
Cecil Stover
Oliver J. Hicks
T.S. Hopkins, Jr.
William L. Fulford, Jr.
J.E. Greene
R.V. Evans
Nathan Ward
W.R. Sapp
J.A. Cooksey
Charles R. Williams
J.E. Clayton, Vice Foreman
Fred A. Boyd
Frank J. Conklin
R.S. Fountain, Sr.
Lamarr O'Quinn
William Poppell

After a swearing in by the baliff, the jurors were instructed in the duties and responsibilities and procedures by the judge.

The only thing which was unusual at this particular time, other than the question asked by the Negro girl, is that whereas the other jurors sat in the front rows, Mr. Simpkins, the former principal of Howard Academy, who is now the assistant director of the Tri-County OEO-CAP, sat with the Negro defendants and their dependants. Of course, the name of Mr. Simpkins was not drawn out of the hat. The Grand Jurors are all white.

The remaining persons are subject to becoming members of the petite jury. That evening, I gave the list to several of the civil rights workers in that area, who then went to work gathering information about each of the jurors. This is the report which was given to me.

W.E. Shelley

He is white. As far as the Negro community is concerned, he is very bad. He has kicked two or three Negro boys who have worked for him. He works in the logging business and actually lives in Leon County. He is married to a woman from Leon County.

Another incident involving Mr. Shelley is as follows:

A Negro man was on the side of Highway 90, fixing a tire. Mr. Shelley was driving while drunk and ran over and killed him. Rather then being subjected to punishment for the crime, he placed the blame on one of his innocent Negro employees. The employee took the blame for Mr. Shelley.

E.B. Bailey   Foreman

He is white. In the Negro community, he is also indicated to be bad. He rents the Gulf Service Station, south of the Court House, right across from where the incident took place.

Recently, he hit a Negro school teacher, Mr. Glenn L. Presley, who teaches at Lake City, Florida. He hit Mr. Presley because he asked to use the restroom. Mr. Bailey had been reluctant to let Mr. Presley use the restroom. When Mr. Presley told him that the restroom was filthy and nasty, Mr. Bailey assaulted him. Mr. Presley, of course, was the one who was arrested and had to pay the $50.00 bond.

Oliver J. Hicks

White. He seems to be pretty fair as far as the Negro community is concerned. He is a new member of the community.

Cecil Stover

White. He is rated as fair by the Negro community. He works in Tallahassee and used to work at the Dog Track.

P.S. Hopkins, Jr.

White. A new member of the community. He deals in real estate and seems to be pretty fair.

William T. Fulford, Jr.

White. He lives near Rev. Steward. He is considered no good by the Negro community. He operates a store on Highway 19. His father at one time attacked a Negro from a community called' Acacy Precha. Nothing was done about this. He used to work on the city police force some time ago, for about 8 or 10 years. His father is chairman of the County Commissioners.

J.E. Greene

White. He operates Greene's Fish Market. He is a bondsman and he is considered to be no good whatsoever by the Negro community.

R.V. Evans

White. He is the manager of the Monticello Motor Parts Company. He is not friendly to Negroes. He is a newcomer to the community.

Nathan Ward

White. He is related to Deputy Sheriff Ward.

W.R. Sapp

White. He is an electrician, goes out on calls. He is very unfriendly, particularly to the friends of Norman Robinson and Mrs. Grace Hardy.

J.A. Cooksey

White. He is related to County Judge Cooksey, who signed the warrant. He drove a school bus for sometime. Actually, he is considered to be pretty good in the Negro community.

Charles R. Williams

White. No information.

J.E. Clayton Vice Foreman

White. He works at the Sinclair Service Station where the shooting took place.

Fred A. Boyd

White. He is a farmer, and has a little more money than the rest of the jurors do. He is considered to be pretty good.

Frank J. Conklin

White. No one knows him. Many believe that he might be related to the other Conklins or of those Conklins who are racists.

R.S. Fountain, Sr.

White. He worked for Florida Power Company. He runs a motel. He has also said to Negro witnesses that he will not allow Negroes to use his motel.

Lamar O'Quinn

White. He is the operator of another Sinclair Service Station, which is the place where the deputy sheriff hangs out. He is considered to be very bad. His wife works at the Jefferson County Lunch Room. This Jefferson County Lunch Room through Mr. and Mrs. O'Quinn, refused to serve Negroes.

William Poppell

White. No information.

The following men were not called to grand jury duty, but are subject to call for petite jury duty.

Thomas B. Armistead

White. No information.

George T. Branch

White. He is very poor, has no education, used to be a farmer. He is so ignorant, that he does not know the differance between right and wrong.

Roy Gray

White. He is poor. He works for the Florida Power Company.

Eddie L. Simpkins

Negro. He is considered very bad. He is an Uncle Tom.

Herman Cadwell

White. No information.

Robert V. Jordan

White. No information.

J.D. Cooksey

White. He is also related to Judge Cooksey and J.K. Cooksey. He did operate a service station in a community called Capps in Jefferson County. He is considered to be pretty good.

Costillo Ward, Jr.

White. Also considered to be pretty good.

Wallace Reed

White. He is poor. He is a newcomer, but he is also a bootlegger. That means, of course, that he is subject to Sheriff Thomas, who allows certain people to operate as bootleggers.

C.B. Block

White. The Negro community considers him to be bad. He used to allow the election board to use a little house on his property for a polling place. But because Negroes were not going to vote for Goldwater in the 1964 election, he did not allow this house to be used. He also drives his children to school every day in order that they do not have to ride school buses with Negroes. He is a game warden on Pinkney Hill Plantation. He lives near an all Negro community.

Ralph M. Brown

White. He runs Brown Tractor place near Super Parr Service Station. He is considered no good. He treats Negroes very coldly when he serves them.

William O. Jones

White. No information.

R.B. Hall, Sr.

White. No information.

Tom F. Wooten

White. He is considered no good. He insults Negroes. At one time, he stole hogs from a Negro farmer. He had been a school board member until last year. Negroes defeated him by voting for another white person.

S.C. Anderson

White. No information.

George W. Miller

White. He ran a chicken farm. He acts pretty good.

Wade Shelley

White. He works for State Farm Insurance Company. He appears to be fair.

J.S. Elam

White. No information.

Milton Ritter

White. No information.

J.W. Edwards

White. He is a salesman for Cooper Chevrolet Company, Monticello. He is considered to be no good. He is very active for Goldwater and wanted all the Negroes who worked for him tovote for Goldwater in 1964.

D.L. Monroe, Jr.

White. No information.

Roy Thompson

White. He works at Monticello Milling Company. He appears to be pretty good.

Leon Clark

White. Rated as no good. He is meat cutter at A&P. He used to operate a meat market for Mr. Stockley. He has also been a poll watcher and has refused to help Negroes. He has insulted Negroes who did not know how to read and write, or who were disabled.

David Wilford

White. He drives a gas truck for Clark Chestine.

Robert I. Cone

White. He is also no good. He made some remarks about what he would do if the Negroes came through Monticello when they marched on Tallahassee in 1964.

Paul Kelley

White. He has struck Negroes when they came in to be served in his grocery store. He was run out of business because of this.

Wayman S. Horne

White. He sells hog feed. He appears to be pretty good.

D.L. Shivers

White. No information.

Charles E. Markley

White. No information.

Walter B. Edwards, Jr.

White. He is a farmer and appears to be pretty good.

Pat Boland.

Pat Boland

White. He is no good. At one time his cousin was killed by a Negro. This cousin was going with a Negro female. He insulted another boy friend of this girl and consequently, the Negro friend took revenge by killing him.

Mr. Findley McMillan

White. He was exempted from serving.

I propose several actions:

1. Draw up a motion to quash on grounds of discrimination in the selection of the grand juries and the petite juries.
2. Move for a change of venue.
3. File a motion for a Bill of Particulars.
4. File a Petition of Removal. I do not know whether the Federal Court will like this because this seems to be clearly within the Greenwood vs. Peacock rule.

Joan stayed in the courtroom all day Monday. At 1:00 P.M., they told Norman that he did not have to stay. But after I talked to him when he came back for lunch, I told him to go back and stay there till the day was over, since his warrant and bond show that he was to appear on November 7, 1966. He did stay until 7:00 P.M.. Just when he was leaving, they went up to him and told him to be back at 10:00 A.M. this coming Monday morning, November 14, 1966. They asked him whether or not he had an attorney and he said that he did not. They also asked him if he wanted one. He said that he could get one for himself. He asked for 15 days, but they told him to be back on Monday.

Yours truly,

John D. Due, Jr.

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

December 7, 1966

Mr. David Seeley
Special Assistant to
United States Commissioner
of Education
Washington, D.C.

Dear Mr. Seeley:

On November 26, 1966, Mrs. Sinclair Miller, Route 3, Box 112, Greenville, Florida retained me in order to assist her regarding injuries resulting from non-compliance with the Civil Rights Law of 1964, Title 6.

Mrs. Miller is the mother of several children whose names are as follows: Annie Lewis Miller, Melvin Eugene Miller, Patricia Ann Miller, Terrell Bryant Miller, Donnie Lay Miller and Sinclair Miller, Jr. The above named children, who are members of the Negro race, have been attending Greenville High School, Madison County, Florida, under a "free choice" plan. They have also used the school bus provided by the county. The driver of the bus is Mr. Raymond Howell.

The Negro children are not allowed to sit anywhere on the bus except on the three seats set aside for them. The white children abuse them by throwing hickory nuts and pine cones. The bus driver makes no attempt to discipline them, in fact he encourages this intimidation and harassment. When the Negro children request protection, the bus driver will say, "You are niggers." Also, when he stops the bus, he will say, "All niggers get off last."

On November 18, 1966, Mrs. Miller saw the principal, Mr. Wesley R. Roberts. She was not able to receive any satisfaction, because he claimed it was up to the bus driver to report disciplinary problems and that it was the responsibility of Mr. Thomas Bishop, County Superintendant of Education to solve the problem.

Mrs. Miller has already attempted to see Mr. Bishop. He told her not to come back anymore and that her children must learn to get along with these things. Also, one of her children was expelled from school without a hearing by the principal. The child was accused of fighting with a white child, Henderson Sterry. There is no truth to this allegation, there were no witnesses and the children in the classroom claim that they were not fighting, but only playing.

This case is consistent and similar to the case which I had referred to me regarding Mr. Bell. I would appreciate very much if Federal and State agencies would investigate the circumstances above alleged and please inform me as to what action or results have been made or accomplished.

Yours truly,

John D. Due, Jr.

John D. Due, Jr.

cc: Mr. Derek Bell
Mr. Harold Braynan
Mr. Carl Rachlin
Miss Jean Fairfax
Miss Suzanne Price

J D No Florida

December 8, 1966

Mr. David Seeley
Special Assistant to
United States Commissioner
of Education
Washington, D.C.

Dear Mr. Seeley:

This is an addendum to the letter of December 7, 1966 concerning Mrs. Sinclair Miller of Greenville, Florida.

Mrs. Miller had advised her children that they did not have to accept the abuse of the other children on the school bus. She told them to protect themselves. One of her children, Tyrene Bryant Miller, on December 6, 1966, protected herself from the Drigger boy, who is white. He deliberately stepped on her feet and had been throwing hickory nuts at her. Both children were brought before the principal of Greenville High School, Mr. Wesley Roberts. He disciplined only the Miller child. He harassed her, intimidated her, and indicated that she would have to control her temper and told her that she would not be able to ride the school bus for five days.

Again these children have been hit by hickory nuts, pine cones, etc., but Principal Roberts told the mother that he will only take the word of the bus driver. The bus driver, Raymond Howell told the children that he personally was going to see that all these Negro children are expelled from school.

I would appreciate any information from Federal or State sources as to action which shall be taken in this matter.

Yours truly,

John D. Due, Jr.

cc. Mr. Derek Bell
Mr. Harold Braynan
Mr. Carl Rachlin
Mr. Marvin Rich
Miss Jean Fairfax
Miss Suzanne Price

Miller ✓

December 12, 1966

John D. Due, Jr., Esq.
540 1/2 West Brevard St.
Tallahassee, Florida

Dear John:

Enclosed is a copy of my letter of David Seeley. I hope it will be of help to you. I would like you to tell me, however, why copies of your letter were sent to three people, one of whom I know, who have no association with SEDF

If my understanding is correct, Jean Fairfax works for the Inc. Fund, Braynan and Price I don't believe I know offhand but I may have met them. Don't make me remind you once more that your work in the field of civil rights must be done for SEDF. This is why your office is subsidized. Once more, I say you may represent any person or any organization with a problem but it has to be in our name.

Frankly, when you do this sort of thing, Marvin Rich comes in and yells at me. While I don't mind being yelled at, we nevertheless must recognize that his point is well taken. Our contributors have a right to know that the money they contribute is being put to good use. Therefore, the work you must do must be done in our name. This is particularly true when we set you up in office because no other organization cared enough about Northern Florida.

You have worked very hard and I know this. Please keep this little point in mind for our mutual success as well as that of the organization which does so much good work.

With best regards.

Sincerely yours,

Carl Rachlin
General Counsel

CR:gtc

December 12, 1966

Mr. David Seeley
Special Assistant to
United States Commission
of Education
Washington, D.C.

Dear David:

By this time you have received John Due's letter of December 7th regarding Mrs. Sinclair Miller of Greenville, Florida. While I have no knowledge of the accuracy of the facts as stated in John's letter, as you know, Northern Florida has many serious problems and is one of the most neglected areas from the point of view of the Justice Department and the U.S. Office of Education. I know this area fairly well since the legal services performed by John as Florida Counsel for SEDF are the only services provided in the entire area of Northern Florida. May I respectively urge that you do all legally possible, as quickly as possible, to help these people who feel, in my view rightly so, neglected by the United States.

It goes without saying, of course, that we will cooperate in every conceivable way possible to assist you. Please let me know in what way we can be of service in this matter.

Sincerely yours,

Carl Rachlin
General Counsel

CR:gtc

ccc John Due

[1966]

ARTICLES OF INCORPORATION
of the
LEGAL SERVICES OF NORTHERN FLORIDA, INC.
(A Corporation Not For Profit)

We, the undersigned, hereby associate ourselves together for the purpose of becoming incorporated under Chapter 617, Florida Statutes, applicable to corporations not for profit, and, respectfully petition the Secretary of State for approval of such incorporation under the following proposed Articles of Incorporation:

ARTICLE I
Name

The name of this corporation shall be: "Legal Services of Northern Florida, Inc.". Headquarters of the corporation shall be located within the city of Tallahassee, Florida.

ARTICLE II
Objectives

The general objectives of this corporation shall be:

Section #1

Clause #1

To provide diverse legal services, gratuitously if necessary, to all persons, residing within the geographic area to be served, who may appear worthy thereof, and, who are financially unable to obtain such assistance by other means.

Clause #2

To implement the above-stated objective by employing such practices as will ensure a maximum of service and accessibility to all potential clients.

Section #2

To sponsor research in the areas of poverty law so that there will be adequate resources to maintain a standard of excellence in its advocacy, and, to promote the incorporation of new remedies into the legal framework which will aid in liquidating the causes of poverty.

Section #3

To acquaint the members of the Florida Bar Association, residing within the communities to be served, of the services rendered by the corporation's general counsel and to enlist the continued assistance of those attorneys to solve the legal problems encountered by the economically deprived. Additionally, the corporation shall provide the resources to meet the responses of such assisting attorneys.

Section #4

To sponsor, and/or directly finance community educational programs which will seek to inform, in a meaningful way, the economically and educationally deprived, of their legal rights and of the procedures available to them to ensure the exercise of these rights. And, to teach those in poverty, and those who work with the poor, to recognize problems which can best be resolved by the law and lawyers.

Section #5

To provide tangible examples to the apathetic and cynical that through appropriate action in the proper channel, significant changes can be accomplished in their lives.

Section #6

This corporation shall be non-partisan and non-sectarian in its activities. Its name and resources shall not, by resolution or otherwise, be committed to the support or endorsement of any candidate for public office.

Section #7

Where and when necessary, this corporation may associate, join, or merge, with other agencies, organizations, or community groups, to attain the above-stated objectives.

ARTICLE III
Geographic Area

This corporation shall serve the following counties within the State of Florida:

Clause #1

Franklin, Gadsden, Jefferson, Leon, Liberty, and, Wakulla, which comprise the Second Judicial Circuit;

Clause #2

Columbia, Dixie Hamilton, Lafayette, Madison, Suwannee, and, Taylor, which comprise the Third Judicial Circuit;

Clause #3

Alachua, Baker, Bradford, Gilchrist, Levy, and, Union, which comprise the Eighth Judicial Circuit;

Clause #4

Bay, Calhoun, Gulf, Holmes, Jackson, and, Washington, which comprise the Fourteenth Judicial Circuit.

ARTICLE IV
Membership

Section #1

Membership in this corporation shall be open to:

Clause #1

All members of the Florida Bar Association who reside within the geographic area to be served;

Clause #2

All persons, eighteen, (18), years of age or older, who are residents of the geographic area to be served, and, are members or representatives of the financial category of potential clientele.

Clause #3

Representatives of agencies, organizations, and groups, designated by the board of directors as having a pertinent interest in the corporation or in its clientele.

Section #2

Classes of special membership, with their respective qualifications, may be created periodically by the board of directors.

ARTICLE V
Board of Directors - Officers of the Corporation

Section #1

The governing body of the corporation shall be the board of directors, hereinafter referred to as "the board", consisting of nine, (9), members; five, (5), of whom shall be practicing attorneys in the communities to be served, and four, (4), of whom shall be members or representatives of the communities and financial category of clientele to be served. The board shall be elected by the total membership of the corporation at its annual meeting.

Clause #2

The directors shall, at a meeting following the annual meeting of the general membership, elect, from among themselves, a president, vice-president, secretary, and a treasurer.

Clause #3

The board and officers shall serve for one year and until their successors shall have been elected and accepted office. The board shall have the management and control of the corporation, except as herein otherwise provided, and subject to the limitations imposed by law. The board, by a majority vote of its total membership, may remove and replace an officer at any time. The Corporation may also have such additional officers as the board may periodically elect or appoint, with such powers and duties, and to serve for such time, as the board may determine. Unless otherwise specified in motion creating said offices, said officers shall serve at the pleasure of the board.

Clause #4

Vacancies on the board or in any office of the corporation shall be filled by a majority vote from the total membership of the board. To conduct such business, the board shall meet at a pre-scheduled time and place and the vacancy shall be thereby filled for the balance of the normal term.

Section #2

Clause #1

The president shall be the chief executive officer of the corporation and shall preside at such meetings as are hereinlisted: the annual meeting, all meetings of the board, and the general meeting of the policy advisory council.

Clause #2

The vice-president shall succeed to the powers and duties of the president upon his absence. The vice-president shall also have such powers and duties as may be delegated to him by the president and/or the board.

Clause #3

The secretary shall keep the records of the meetings herein stated: the annual meeting, all meetings of the board, and the general meeting of the policy advisory council. The secretary shall have such other duties as may be conferred by the president and/or the board.

Clause #4

The treasurer, except as herein otherwise provided, shall collect all contributions and other monies belonging to the corporation, shall supervise all disbursements and shall have general charge of the funds and properties of the corporation under the direction of the president and the board. He shall keep a full and accurate account of his transactions and of the finances of the corporation and shall report to the board when so required and to the general membership at the annual meeting. The treasurer shall provide a bond on such terms and with such sureties as the board of directors shall request.

ARTICLE VI
Policy Advisory Council

Section #1

At the annual meeting of the corporation, the membership shall gather by county and therein assembled, elect one representative to the policy advisory council.

Clause #2

In addition to the twenty-five elected representatives, the board shall designate to certain groups, associations and agencies, the right to appoint or elect a "representative member" to the policy advisory council. The number of such "representative members" shall never be less than eight, (8), nor exceed twelve, (12).

Section #2

The function of the policy advisory council, hereinafter referred to as "the council", shall be to critically evaluate the corporation's yearly activity and to recommend specific resolutions for improvement, expansion or alteration, to the general membership at the annual meeting.

Clause #2

This objective shall be accomplished in the following manner. The members of the council shall gather in a preliminary meeting by judicial circuit; said meeting to be chaired by a selected member. Here the corporation's activity in the judicial circuit will be evaluated, with specific recommendations proposed. Thereafter, a general meeting of the council shall be called by the president. Said meeting shall be held at least sixty (60), days prior to the annual meeting. Herein a comprehensive report shall be compiled; it shall contain two (2), sections: a general critique and accompanying recommendations, each recommendation shall be worded as an individual parliamentary motion. With a recommendation of approval or disapproval from the board, each of the council's recommendations shall be moved, discussed and voted upon by the general membership at the annual meeting. Said vote shall /not be binding upon the corporations board and officers.

Section #3

The president and board shall furnish whatever resources and clerical assistance are needed to successfully fulfill the counci's objectives.

ARTICLE VII
Meetings

Section #1

Clause #1

The annual meeting of the corporation shall be held in May of each year at such a place and on such a day and hour as may be determined by the board. Written notice shall be given by the secretary; said notice being mailed to each member at his address appearing on the books of the corporation at least fourteen (14) days prior to the date of the scheduled meeting.

Clause #2

A special meeting of the general membership may be called by the president, or by the secretary at the request of a majority of the board, or by a petition signed by twenty-five (25) members of the corporation.

Clause #3

Twenty percent (20%) of the total membership shall constitute a quorum.

Section #2

The board shall meet each year following the annual meeting of the corporation, to elect officers and to transact such other business as may come before it. The board shall meet on additional occasions as it shall decide. Written notice of all board meetings shall be forwarded to each member at least seven (7) days prior to the scheduled meeting.

Clause #2

A special meeting of the board may be called by the president, or by the secretary at the request of four (4) members of the board.

Clause #3

Fifty percent (50%) of the existing membership of the board shall constitute a quorum.

Section #3

Clause #1

/meet
The council shall on one occasion in general session and on another

Forty percent (40%) of the membership shall constitute a quorum for the general session.

ARTICLE VIII
Committees

Section #1

There shall be a finance committee consisting of the treasurer and three other members of the corporation, selected by the president with the advise and consent of the board. Said members shall serve at the pleasure of the president but shall remain in office until their successors have been appointed and have received the consent of the board.

Section #2

A nominating committee, appointed by the president with the advise and consent of the board, shall prepare a slate of suggested nominees for election to the corporation's board. Said slate shall be forwarded to each member of the corporation by the secretary; it shall be enclosed with the notification of the annual meeting. Nominations will be accepted from the floor at the annual meeting.

Section #3

The corporation shall be served by such other committees as shall be needed. Their function and membership to be determined by the president with the advise and consent of the board.

ARTICLE IX
General Counsel

Section #1

Clause #1

The general counsel, a member of the Florida bar, shall be designated by the board and shall have his term of employment fixed by the board.

Clause #2

The general counsel, subject to advisement by the officers of the corporation, shall attend to all the business of the corporation, shall have full charge of the corporation's offices and shall employ, subject to the advise and con-

and disbursements made through his office and of all cases handled by the corporation. He shall at the end of every two (2) month period, forward each member of the board, a written statement of the financial status of the corporation and a tabulation of the cases handled during the previous period. He shall also, at the end of each month, prepare and send to the treasurer, a detailed account of the receipts and disbursements of his office during the previous month.

Clause #4

He shall prepare and submit to the membership of the corporation at the annual meeting, a report of the business transacted by the corporation during the preceding year and a summarized statement of the receipts and disbursements of his office for publication in the annual report. He shall also prepare and submit a budget, in consultation with the treasurer, for the ensuing year. Said budget shall be submitted to and acted upon by the board.

ARTICLE X
Amendments

Section #1

These articles of incorporation shall serve as the constitution of the corporation and may be repealed or amended by a two-thirds (2/3) vote of the general membership. All constitutional amendments shall be submitted in writing to the board and the recommendation of the board shall be announced, prior to the discussion and vote in the general membership.

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

January 3, 1967

Mr. Marvin Rich
150 Nassau Street
New York, New York 10038

Dear Marvin:

For my Christmas present, for my New Year's present, for my birthday and for the first year of Tananarive, I would appreciate it if you would send the $50.00 that you owe for the flight from Tallahassee to New Orleans.

Please include the check with my monthly retainer.

Yours truly,

P.S.

Please send a box of SEDFRE letterheads and envelopes -

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

JAN 10 1967

Dear Mr. Rachlin:

Thank you for your letter of December 12 regarding the complaint of Mrs. Sinclair Miller of Greenville, Florida concerning harassment of her children in formerly all-white Madison County, Florida schools.

This Office has initiated an investigation of the circumstances surrounding complaints of harassment of Negro students in the Madison school system. We appreciate your interest in the matter and will keep you informed of action taken in these cases.

Sincerely,

David S. Seeley
Assistant Commissioner
Equal Educational Opportunities Program

Mr. Carl Rachlin
General Counsel
150 Nassau Street
New York, New York 10038

To: Carl Rachlin, Marvin Rich

From: John Due

Date: January 25, 1967

NORMAN ROBINSON

As you remember from our telephone conversations, the question is whether or not this case is a civil rights matter. Of course, under the removal statute, this is not a civil rights case. It is hard to get foundations to give money for civil rights workers when they are accused of shooting at folks.

I have filed a motion to quash on the grounds of racial discrimination in the selection of the grand jury and prospective jurors. I also filed a motion for change of venue on the grounds of racial tension in the community. Last Friday, Judge Willis granted my motion for change of venue.

As you have heard, the people in Jefferson County want us to do something about this case. I propose, therefore, that we file this suit enjoining the prosecution until the jury selection is done on a non-racial basis.

Enclosed are copies of the Legal Defense Fund complaints regarding a suit which I asked them to send me. Also there is a copy of a suit in Alabama. As you see, the suit in Alabama was able to enjoin the prosecution.

I need to know immediately if SEDFRE can finance a suit. I have done too much work on this case to give it to some other NAACP or LCDC attorney.

Enclosed are copies of my motion to quash, which I have filed in this case. The only problem now is that I have to prove jury discrimination regarding prospective jurors in Leon County instead of Jefferson County. Jefferson County is 59% Negro and only 8 or 9 Negroes have ever been called, whereas, Leon County is only 30% Negro and there might be a higher rate of Negroes potentially serving on the jury. I would appreciate your sending me information about this immediately.

EDUCATIONAL IMPROVEMENT COMMITTEE OF THE NAACP

Since Leon County schools are under a court order, they are quite segregated. The Educational Improvement Committee, as you know, has been very active in leading school holidays etc.

I set up the plan for a school holiday which they are now following. This plan includes freedom schools, youth patrol, minister patrol, etc. Where before there were factions within the community, this has been resolved by having joint meetings of the Inter-Civic Council and the Educational Improvement Committee.

The Legal Defense Fund of the NAACP filed a suit in 1966. They are proceeding towards a three judge court.

I am preparing affidavits from persons which I must hold in confidence in order to send to the Justice Department and HEW. We are particularly concerned about criminal use of 89-10 materials and supplies. This report of course will be sent to you to forward to the proper authorities.

FARMER STRIKE IN BELLE GLADE

Although I am not an employee of SEDFRE, I made it known to Mr. James Pierce of the Industrial Unions Department of the AFL-CIO who is organizing the farm workers in the Belle Glade area, that I am interested and concerned and will be available to be of assistance. I was invited to attend an organizational meeting of the Executive Board of the United Farm Workers and attended a Sunday program by the cO-ordinating committe for farm workers which is headed by Father Martin A. Walsh of the Human Relations Council, Miami Diocese.

Member organizations of the co-ordinating committee are the Florida Council of Human Relations, the Community Action Fund, the NAACP, the Florida Christian Migrant Ministry, IEDA-CIO, and the American Friends Service Committee.

Some of the demands on behalf of the farm workers are a state labor office, state minimum wage law, state workmen compensation law, other laws regarding health and safety, etc.

One of my criticisms was that they were organizing the contractors rather than the laborers. The contractors are the agents of the owners and are therefore as guilty of exploiting the workers as anybody else. I think that they are beginning to realize that they are running into a problem because they feel that the farmers will not contract with contractors that are involved with the union.

There was a three day strike. There is another longer one in the planning. They have adequately prepared their charter. Attorney Cauffman of Miami is assisting, therefore, there is no need for me to give any active assistance.

More and more people are coming to see me regarding their welfard problems. If SEDFRE has any materials regarding these areas, I surely need to have it. I do not include a report regarding these welfare activities at this time because they are not civil rights.cases.

February 2, 1967

Department of Health, Education and Welfare
Washington, D.C.

Dear Sir:

I represent Mr. Jay Watson, whoresides at 746 North Macomb Street, Tallahassee, Florida. He is a veterans claimant whose number is C 105 74 826 3017-21. On December 20, 1966, he received a letter from Mr. Guy R. Nichols, the adjudication officer in the regional office of the Veterans Administration, Box 147, St. Petersburg, Florida. This letter indicated that arrangements were being made for him for his physical examination. He then was informed to appear at the office of Dr. B.G. Haskell, Jr., 1329 Thomasville Road, Tallahassee, Florida.

In compliance with the instructions from the office in St. Petersburg, he appeared at 9:30A.M. on January 26, 1967. Mr. Watson went to the front entrance which is the public entrance of Dr. Haskell's office. He went inside and sat down. There was a nurse, cacting as a receptionist, who was white. She did not wait upon him or ask what services he desired. Mr. Watson noticed that she went into a back room. Then, a Negro came in and told Mr. Watson the following: If you want to get service, you must go to the side entrance. (This entrance says "colored")

After Mr. Watson went to the side entrance, the same nurse who would not give him service before, then approached him and asked him what he wanted. Mr. Watson presented the papers from St. Petersburg and said that he thought he was supposed to have an examination. The nurse took the papers but did not make an appointment for him or act as though he was going to have any services rendered to him. She also refused to call him by a courtesy title.

I would appreciate it very much if the Veterans Administration or the proper authorities would take immediate action. The Veterans Administration should terminate cooperation with a doctor if he carries on discriminatory practices such as segregated waiting rooms. I would apprectate the acknowledgment of this letter within 14 days.

Yours truly,

cc: Carl Rachlin, Esquire
Mr. Marvin Rich

March 10, 1967

Mr. and Mrs. John Due
540½ West Brevard Street
Tallahassee, Fla.

Dear John and Pat:

What can I say about the loss of your daughter. Lucretius once said, "No single thing abides, but all things float. Fragment to fragment clings."

Truly, we are all fragments and I see the changes from stormy to peaceful without rhyme or reason.

My best to both of you.

Cordially,

Marvin Rich
Executive Director

MR:SK

April 12, 1967

John Due, Esq
540½ West Brevard Street
Tallahasse, Florida

Dear Mr. Due:

Enclosed please find check in the amount of $958.33 Which represents retainer fee for the month of April.

Sincerely yours,

Marvin Rich
Executive Director

MR/lp
Enclosure:

COPY

May 1, 1967

Mr. John Due
540½ West Brevard Street
Tallahasse, Florida

Dear Mr. Due:

Enclosed please find check No. 1633 in the amount of

$958.33.

Sincerely yours,

(Mrs.) Florence Pilgrim
for
Marvin Rich
Executive Director

Enclosure:

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

May 12, 1967

Mr. Marvin Rich, Executive Director
SEDFRE
150 Nassau St. Room 1312
New York, N. Y.

Dear Mr. Rich:

It was difficult to get the news release herein because it was a late edition which the Newspaper Morgue desired keep copies.

I have given direct service for eight weeks beginning February 27, skipping April 24 and May 1, because of the Joe Waller case, but resuming May 10.

Since my last report, we have had a conference with the Secretary of State, Tom Adams. (Florida has a "cabinet system" where each elected state officer has responsibilities of supervision over various state agencies; Adams is in charge of the Mental Health Division.)

Florida is now a two-party state, and Adams is ambitious to be governor in 1968. There was Rev. C. K. Steele (who represents Civil Rights) and State AFL-CIO, where both groups represent voters, gave us his support.

We spent the next three weeks forming and organizing a committee, and have now over 1500 authorization cards signed, authorizing representation and check-offs.

Since the meeting with Mr. Adams, Mr. Ciampra, AFSCME's Field Director of Staff has directed Mr. Robert Montming to give all of his time with us.

My function therefore, does have to "keep the Faith," oratory and minimal advice, except for one week, where I resolved Negro contacts on all shifts, and with getting about 200 cards insured myself, we now have 1500 cards signed including dues ~~dedention~~ deduction check off.

I left Clearwater to go to Orlando for a state-wide meeting of AFSCME and met Joe ~~Aines~~ Aimes

Call Wed, May 31, 1967
202-223-4460

After I returned to Clearwater for Joe's trial, I learned that Adam's assistant recommended that our committee meet with Dr. O'Conner and Roger's, the Division's Head, who double-crossed Adams and said "no" for recognition, and a grievance procedure.

Adams, being so informed has schudled a closed executive session of the cobinet with State Labor and AFSCME. Either Joe Ames ~~Aines~~ Ames or Jerry Wurf shall be there.

Ciampra told me to submit an expense report which includes $.10 per mile, plus a few phone calls.

I hope you will assist me in getting a retainer with AFSCME.

Yours truly,

John D. Due
Attorney at Law

JD/bw

P.S.
Still looking for a secretary.
Do you know anyone who would
like to come to Florida?

file
AFSCME

State Hospital Employes Meet To Discuss Wages

Talla Democrat 2/28/67

CHATTAHOOCHEE — After reports of meeting 900 strong last week, employes of the state hospital at Chattahoochee were scheduled to convene as committees last night to find ways of solving their grievances.

They were concerned last week over the hospital's return of funds to the State Revenue Commission general fund while workers got no pay raises, according to a statement released by John D. Due Jr., of Tallahassee.

His report said he was representing the workers interests.

Due has acted as a spokesman for Negro groups in recent years' civil rights demonstrations in the Tallahassee area.

Due said the employes were concerned over discrepancies in pay between men and women, promotion of new employes over those with tenure, and differences between pay scales in the hospital and Appalachicola Correctional Institution.

The employes, many of whom are members of the Florida State Employes Association, did not meet as the association but as a separate group.

Due, a Tallahassee attorney, said the employes were concerned "why the State Hospital would return several hundred thousand dollars to the budget commission and the state revenue commission, when such funds were appropriated for the employes."

Dr. J. B. O'Conner, superintendent of the hospital said yesterday the funds in question were appropriated for positions which are unfilled, particularly doctors and nurses. He explained when the money is unused, it reverts

he doesn't know how the state operates."

On the other complaints, the superintendent said that men are paid more than women employes doing the same work at Chattahoochee, but "that's been the case since time immemorial."

According to new federal standards set up in recent years, however, the pay will be equalized.

O'Connor said the hospital has requested an equalization in previous legislatures but the change was not made.

The Division of Correction pays more than State Hospitals across all Florida, but here the difference in the departments is at play.

He said when the Budget Commission grants a pay raise to hospital employes, it usually begins with the lowest bracket. This sometimes results in apparent improvements for new employes that those with longet time in service do not receive.

The hospital has asked, he declared, that pay raises for the bottom ranks be reflected in hikes for low and middle range salaries. However, this apparently has not been carried through.

O'Connor said the administration has "not the faintest objection" to the employes' meeting to discuss their problems.

Nothing can be done about pay increases until the new legislature appropriates funds, he said.

The superintendent warned that state employes, according to Florida Statute 839.221, do not have the right to strike. Sick leave absences must be verified, he said, and "seven or eight" of those aides who called in sick recently in the South Florida protest have been dismissed

The notices emphasized that the Florida State Employes Association was not the group holding last week's meeting, O'Connor noted.

Photocopy & send 1 copy to Marvin & 1 copy to Carl Rachlin.

FIELD REPORT, MAY 1 - 20, 1967

RECEIVED

MAY 31 197

SEDF

From: Julian Brown
Box 13137 University Station
Gainesville, Florida
To: Atty. John Due
540½ W. Brevard St.
Tallahassee, Fla. 32301
and LSCRRC
156 Fifth Ave.
NYC 10010

I began my internship assisting John with the Joe Waller case in St. Petersburg, Fla. Joe and Jody Wall had removed a racially-offensive mural from city hall, during a demonstration protesting city hiring policies and other abuses by city manager Lynn Andrews. The removal of the mural was a spontaneous act xx initiated xx by Joe, but it occurred after repeated letters and protests by the Florida Front of the Student Nonviolent Coordinating Committee, of which Joe was xixh vice-chairman. After removing the mural, the demonstrators carried it carefully and expressed an intent to take it to the black community to show it to the people there.

After carrying the mural some distance, policeman tried to stop them. During the ensuing scuffle the mural was severely damaged by its being pulled and jumped upon by one policeman.

At the municipal trial, Joe Waller refused to be represented by an xxx attorney retained by some other defendants (of whom there were six altogether). He was not permitted to have other counsel, and was sentenced to 180 days imprisonment. The defendants were charged with the same offenses and also with grand larceny by the state's attorney. Harold Levinson, professor at the Univ. of Florida law school, wrote an appeal to the Florida Supreme Court on a double jeopardy argument. The argument was rejected by the Supreme Court. The state's attorney, however, dropped all charges except grand larceny .

At the trial in the 6th Judicial Circuit in Clearwater, Fla., Our basic argument was that Joe Waller and the other defendants did not have the necessary intent to deprive the city permanently of the mural. We also charged that the mural was a public nuisance and x a form of public libel, that the city was racially prejudiced, and that the removal of the mural was a political and not a criminal act.

Rxrixx In preparation for and during the trial, I wrote a closing argument, a revised outline of another closing argument, a set of jury instructions, and several memos about points of law. In addition I did preliminary investigation, had subpoenas served, and called witnesses personally.

On Tuesday, May 9, 1967, I began investigation of some police brutality charges. One involved Edwin Gunther, who was shot through the front of the stomach after being arrested by a policeman in Jacksonville, Fla., for speeding. Numerous witnesses were present. I interviewed these witnesses& prepared affidavits for them to sign.

Gunther obtained a thirty-day continuance from Municipal Judge Santora. He goes to trial on May 29 for speeding and resisting arrest.

In another police brutality case in Jacksonville, Allen Whittaker was beaten at the police station after he was arrested for refusing to permit two policeman to search his mother's store without a search warrant. His case was reduced from a fine of $175.00 to $25.00, which he paid. I investigated his case for the purpose of a future xxxix civil suit against the city.

In a police brutality case in Gainesville, Theodore Maple, a white man, and James Camp, a black man, were arrested by an Alachua County deputy sheriff, who was later assisted by a plainclothesman. Camp was beaten, and Maple was told that he "did not" have any nigger friends" in Gainesville. Maple was charged with driving while intoxicated, and Camp with drunkenness. Although Maple requested a breatholyzer test and offered to pay a physician for a blood test, he was not examined for drunkenness. The charges against Camp were dropped, but Maple goes to trial on June 12, 1967, at 9:30 a.m. in the Court of Records before Judge Carter. The Court of Records is located in the Alachua County Courthouse Building in Gainesville.

I have studied the Florida statutes relating to welfare legislation, xmwarxxthmxxxxxxfxxixixxx preparatory to assistance of any possible organizing of welfare recipients. I considered drawing up a simple statement of welfare rights, but something similar has been done by the State Welfare Dept. I want to see what they've done before risking reduplication. More important, I am trying to find other people to do the welfare xerkx work. Randy Sides (119 N.W. 16th St., Gainesville, 378-0298), another law student at U.F., has agreed to find all he can about the members of the local welfare dept., what kinds of merits systems they have, etc. I also plan to talk with Rubin Williams' mother about organizing welfare recipients. A Welfare/Rights Movement kit was sent to Arrigo Welch in care of our address, which I will give to her if she's interested.

From quickly looking at the statutes, I see several possible aspects to protest. One aspect is that it would be impossible for a poor person to serve on the welfare board. Members of the board are required to be bonded, presumably out of their own pockets; they receive no compensation for their service; and they are required to have two years of practical business experience. I feel that we should push for eventual control of the welfare system (during the time before we receive a guaranteed annual income) by poor people. Current statutory provisions preclude this as a possibility. Another issue might be the merits system used either locally or statewide. Randy Sides, as I said, is checking on this. I know that in Chicago social workers are promoted on the basis of how quickly and extensively they reduce their case-loads. A similar merits system here may exist.

I have begun investigation of Local # 1101 of the Laborers' International Union of North America, 905 Sixteenth St., N.W., Washington, D.C. 20006. The business manager of the local, Earl Niccum, has established his own dynasty which is independent of the members. He discriminates against black members, violates the International's own constitution, doubles as Secretary-Treasurer in fact though not in title, refuses to keep minutes of meetings, does not inform members of the ineffectual grievance procedure, and never gives money reports. Pat Frank has posed as a student doing a paper to obtain a contract. Bo Lozoff has joined the union and helped organize several laborers to start a revolt against the business manager at the meeting on Monday, May 29, at 5:00 p.m. Hopes are to start some effective organization of many workers as a result of preparation for and follow-up of the meeting. I have agreed to familiarize myself with labor laws and assist in planning recourse to the NLRB and the courts. They will probably want to retain you, John. I will have retainers available. Rest assured, however, that I am familiar with sanctions against solicitation, and I will avoid placing you in an embarrassing position.

Peace and Justice,

Julian Brown

JUlian Brown

Memo!

To! Carl & Marvin

Fr! JOHN

- Good Report isn't it?

I am counsel in the

[illegible] case and the Crowther case -

MEMORANDUM

TO: Mr. Marvin Rich May 22, 1967

FROM: Mr. John D. Due

RE: Warehouse,Laundry Workers and Misc.

Our Warehouse,Laundry Workers won a NLRB certification election Thursday week. The bargaining unit was thirty-two (32), and twenty-seven (27) people voted yes. Tonight we're electing a Negotiating Committee and we are going to determine what our demands are. Also I have been receiving telephone calls from Attorney Joseph Jacobs, to wine and dine with the Dye House workers. This Union is the one which Rutledge Pearson, the President of the NAACP, was working with, and it is affiliated with the Teamsters. Attorney Jacobs is a labor lawyer who works also with the AFL-CIO, he says. But I beleive the Girls here are going to vote to affiliate with RWSDU, AFL-CIO.

I also have received no word from AFSCME regarding my role. I haven't been to a meeting this week, trying to prop-up our collasped private legal business. Enclosed are the bills from the stay at the Jack Tarr Hotel during Joe Waller's case. As you know we made many phone calls trying to talk to persons in Gainsville and talk to witnesses who we thought might be able to get to testify. Enclosed also is Joe Waller's auto-biography and newspaper clips about the trial.

Yours truly,

John D. Due
Attorney at Law

JD/bw

RECEIVED

MAY 26 [illegible]

SEDF

June 1, 1967

Mr. John Due
540½ West Brevard Street
Tallahasse, Florida

Dear Mr. Due:

We are enclosing herewith our check No. 1737 in the amount of $958.33.

Sincerely yours,

(Mrs.) Florence Pilgrim

Enclosure:

Marvin Rich

DATE: June 27, 1967

FROM: John D. Due Jr

Girley vs Gadsden County School Board C.R., Havana, Florida

I wrote you, Carl, last March 17, regarding a case for assault by a parent and a test of Florida Statutes allowing corporal punishment. You have not answered said letter. However, I am preparing a complaint.

Charlie Taite vs Clyde Busbee C.R., Pensacola, Florida

Also, Carl, I sent you a file last April, of Charlie Taite, by Attorney Nathaniel Dedmond, who has withdrawn from the case. I requested assistance to determine whether we can proceed under the Civil Rights Acts in this case. Taite, a county employee, was denied promotion to a vacancy. Please return the file, we hope to prepare a complaint if possible.

Alma Johnson vs Furree

This is a new case. Mrs. Johnson is a member of Local 1460 of American Federation State, Municipal, County Employees. She is the only bus driver who didn't quit the Union, the others had quit. When she wasn't re-appointed as a bus driver for September and who after having been promised, rejected for driving for Headstart this summer. Demanded and received an appointment with Superintendent. He indicated that the bus driver supervisor sent many complaints to her which he hasn't proved and that his reputation in desegregation is good, as per a letter from Dave Selly, HEW congratulating him. He claims that the reason a white lady was hired was because this lady had more seniority than anyone else on the "substitute list." This has high priority for us!! You should see a copy or first draft soon, along with an estimate costs of services charges etc.

Welfare Rights in General

See Julian Brown's report. We are also preparing Constitution for Welfare Right's Union and for a support committee.

Civil Liberties in General

See Julian Brown's Report.

Ted Majul and James Camp vs County of Alachua-C.R.

Ted and James were charged for P.I. and D.O.C., last November. I received notice last week from the County Prosecutor that the case is nul-prossed. Therefore, we have a false arrest and false imprisonment case; but low priority.

Beatrice Golden-Welfare Rights

Closed

(Only mentioned because of your recent inquiry, Carl.) See Julian Brown's Field Report. June 5-June 19.

Melissa Gould-Welfare Rights

See Julian Brown's field report June 9-June 19. The issue we are going to attack is their policy of requiring the recipient to file for non-support and requiring them to pay legal costs.

Joseph Wall C.R.

Motion for new trial to argue on July 5, 1967

Conclusion

Shall review open cases for next report.

July 6, 1967

John Due, Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear Mr. Due:

Further to our most recent phone conversation with regard to your June fee, enclosed please find our check in the amount of $958.33.

I am extremely sorry for the delay in sending this to you, but the long weekend and Marvin's absence from the office sort of got us off schedule.

Sincerely,

Jacqueline Turner
Executive Secretary

RECEIVED

JUL 17 1967

SEDF.

July 12, 1967

Mr. Carl Rachlin
150 Nassau St. Rm. 1312
N. Y., N. Y. 1

Dear Carl:

The city of Tallahassee is to conduct a "Straw Ballot" as to whether the city shall open and operate the swimming pools.

The ballots shall be mailed on July 14, and have to be returned on July 18. The ballots will be tallied and results certified to the city commission. The form of the question is, "Express Your Opinion", should the city of Tallahassee open and operate its swimming pools, Yes or No? If you are against, mark X in this box, if you are for, mark X in this box.

I have mixed feelings; I feel that the people have no right to approve the policy of closing the pools because of race, and to allow the vote encourages and abets non-compliance.

Yours truly,

John D. Due, Jr.

JDD/dw

cc: Marvin Rich

July 19, 1967

John Due, Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear John:

As you know, the financial situation of SEDFRE has been difficult for some time. We had hoped for a major foundation grant in the late Spring, but this has been delayed, at best. In the meantime, the Executive Committee has directed that we cut operations.

One of the changes recommended is the elimination of your services on a retainer basis as of August 31, 1967--the end of our fiscal year. However, the Committee did authorize the continuation of your services on a case by case basis as worked out by you and Carl Rachlin.

Needless to say, we are all pained by this decision. You have rendered a useful and important service to the Civil Rights movement.

Sincerely,

Marvin Rich
Executive Director

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

RECEIVED
AUG 11 1967
SEDF

July 29, 1967

Mr. Marvin Rich,
Executive Director
SEDFRE
150 Nassau Street, Rm. 1312
New York, New York

Dear Marvin:

Enclosed is the phone bill of Carol Thomas, where she made phone calls on behalf of Joe Waller. She assisted me in this case. Can you or anyone else pay the enclosed bill?

Disregard those calls with a line drawn through them.

Sincerely yours,

John D. Due, Jr.

JDDJR:jbr

Encl.

9/18/67
No action to be taken by SEDFRE

August 18, 1967

John Due, Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear Mr. Due:

During my conversation with your secretary, I indicated to her that as soon as I talked with Marvin Rich I would let her know definitely whether or not you would be receiving an additional retainer fee.

Mr. Rich telephoned this afternoon and advised me that the check forwarded to you earlier this month and dated August 1, 1967, will be the last one forthcoming.

Should you have any further questions, Mr. Rich will be returning to the office on Monday, August 21st.

Sincerely yours,

Jacqueline Turner (Mrs.)
Executive Secretary
to

Marvin Rich
Executive Director

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

October 10, 1967

RECEIVED
OCT 18 1967
SEDF

Mr. Marvin Rich,
Executive Director
SEDFRE
150 Nassau Street, Rm. 1312
New York, New York

Dear Marvin:

I am now working as an International Union Organizer for the American Federation State, County, Municipal Employees, AFL-CIO. Plan to "run" for delegate to Democrat National Convention .

Enclosed is a copy of Resume from Anthony Kenneth Irving. I had him to do one to ask AFSCME to employ him as a part-time organizer.

He needs scholarship assistance bad - hopes to graduate in June of 1968.

He need a scholarship also to go to law school.

Yours truly,

John D. Due, Jr.

JDDJR/jbr

Encl.

P.S. Wife again Pregnant.
Is it correct to assume that I was covered by SEDFRE's provided insurance when she became pregnant in July?

RESUME

Personal Data:

Name: Anthony Kenneth Irving

Address: 1517 Hernando Drive
Tallahassee, Florida

Telephone: 222-2317

Date of Birth: August 13, 1942
Place of Birth: Jacksonville, Florida
Height: 5' 10"
Weight: 150 lbs.

Marital Status: Married

Education:

High School - 1960, New Stanton Senior High

Under Graduate - 1960-62 - Florida A and M University
1962-63 - Howard University
1965-66 - Florida A and M University

Intergroup Relations Experiences or Work Experiences:

While at Howard University, I became involved in the Civil Rights Movement. On the completion of the school year I joined the Student Non-Violent Coordinating Committee and worked in Atlanta, Georgia, as an organizer of Voter Registration, and with the youth grup of the community. Between the years of 1963 and 1966, I worked with the Student Non-Violent Coordinating Committee and with the Congress of Racial Equality on various organizing drives.

I met and worked John D. Due, Jr., Attorney at Law, and his wife Mrs. Patrica Stephens Due, in connection with organizing a Voter Registration Drive in Quincy and in Tallahassee, Florida.

For the past year and a half, I have been living in Washington, D. C., and working in the United States Post Office as a Clerk. In my free time, I worked with the Washington branch of the Student Non-Violent Coordinating Committee. I am presently in Tallahassee attending Florida A and M University. I am planning to graduate in June of 1968. After graduation, I hope to enroll in Law School.

October 18, 1967

John D. Due, Jr., Esq.
540½ West Brevard Street
Tallahassee, Florida

Dear Mr. Due:

I am replying to the hand-written portion of your letter to Mr. Rich of October 10th. Regretfully, you nor your dependants were covered by SEDFRE's group health insurance plan when your wife became pregnant in July. While you were on a salary paid basis, you received such coverage. Your termination from the group health insurance plan was effective September 30, 1966. I do not know the date on which you started receiving a retainer fee, but when you switched from a salary paid basis to a retainer fee, you were no longer covered by the group health insurance.

The resume of Anthony Kenneth Irving has been passed on to Mrs. Nannette Sachs who, as you may know, handles the Eleanor Roosevelt Scholarship Program. She will be in touch with Mr. Irving shortly.

Sincerely yours,

Jacqueline Turner (Mrs.)
Executive Secretary

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

February 8, 1968

RECEIVED

FEB 19 1968

SEDF

Mrs. Jacquelin Turner,
Executive Secretary
Scholarship, Education and Defense Fund
for Racial Equality
150 Nassau Street
New York, New York 10038

Re: October 18 letter - Group Health Insurance Policy

Dear Mrs. Turner:

Regarding the Group Health Insurance which was terminated September 30, 1966, most policies as this one, result in the practice of covering medical expenses of pregnances when such pregnancies occur during coverage. Patricia became pregnant during coverage, in July of 1966. I switched from a salary paid basis to retainer fee basis after the pregnancy occurred, which was in October, 1966.

I don't understand why Dr. Brickler and Florida A and M Hospital expenses from Lydia's birth has not been paid, but please investigate.

Yours truly,

John D. Due, Jr.

JDDJR:jbr

cc: Business Manager, Florida A and M Hospital
Dr. A. D. Brickler
Mr. Marvin Rich

[n.d.]

Marvin,

This memo was written in September.

I See March or February memo to you regarding Joe Waller for data subsequent. In Essence -

He and a group protested low wages and Discrimination against city employees, Discrimination, formed a SNCC group and then protested the a mural.

To: Mr. David Seeley
Special Assistant to
United States Commissioner
of Education
Washington, D.C.
Re: Civil Rights-Education, State of Florida, Madison County

Mr. Elijah Bell, by and through his mother Lula Mae Bell, and the undersigned attorney, John D. Due, Jr., complains of the School Board of Madison County, Florida, for the denial of his Civil Rights, and racial discrimination regarding his receiving benefits of federal programs, based on the following information.

Elijah Bell is 18 years old. He attends Greenville High School, Madison County, Florida. He is the only Negro that rides the school bus operated by the school board and has been riding the bus this school term. Elijah is a senior and this is his first year attending Greenville High by means of the free choice plan operated in Madison County under the United States Office of Education Guide Lines.

There are about 19 or 20 Negroes who are attending Greenville High. This is the second year Negroes are attending the school. All the while Elijah Bell has been riding the school bus, he has been under a constant harassment and intimidation by certain white youths on the bus. They have been throwing paper, throwing rocks throwing iron bolts, and insulting Elijah Bell, as to his ancestry calling him nigger", son of a bitch, etc. These particular white youths are: James Brooks, Harvey Waldrep, Roger Brooks, Gwyn Blair, and James Gwyn, the main instigator and trouble maker at the school.

The first day, Elijah Bell did not say anything to anyone. ; On the second day, he turned to the above group and requested that they stop. They did not stop. On or about the third day, when the harassment did not terminate, Elijah Bell asked the bus driver, Albert Kinsley, for help. The driver only laughed". The driver knew v who participated in the harassment and said that they did not mean it. This same driver had ordered Elijah Bell to sit in the front seat and being exposed from the rear, he has been constantly subject to a barrage of missiles from the above undisciplined white youths.

Elijah Bell went to see the principal, Mr. Wesley W. Roberts, either on Friday or on Monday, about the 4th day of school, to complain about the treatment received on the bus. The principal listened and said, I can not do anything, it is out of my jurisdiction, I sympathize, but there is nothing that I can do, the bus driver has to make the complaint. Elijah Bell went to see the principal about six or seven times. Mrs. Lula Bell, the mother of Elijah Bell, then went to see Mr. Griffin Bishop, the Superintendant, on Friday, October 7, 1966. She complained to Mr. Bishop about the treatment her son was receiving from the school and these youths, and asked for a transfer to another bus because she had no witnesses who would tell the truth about what was happening to Elijah Bell. The Superintendant said that he could not transfer Bell to another bus because it would be hard for others, and said that if it did not get better, to come back in two weeks.

On October 10, the same boys, in a pre-arranged plan, surrounded Elijah Bell and kept up a constant barrage of missles. Again Elijah asked the driver for help. The driver acted as though he did not hear Elijah. Bell then turned around and asked the boys to stop. James Brooks said, "Are you talking to me nigger?" Elijah Bell said, I am talking to you only if you are doing it. James Brooks said, If I want to hit you I would have hit you by now, and then he hit Elijah Bell in the face. Elijah Bell then struck back, and was defending himself, when the four boys, Harvey Waldrep, Gwyn Blair, Riche Gwine, Roger Brooks, held him. The bus driver then watched while James Brooks and the others kicked Bell. Elijah was kicked on the legs, hit in the stomach, and face by all of the above youths. This continued for about ten minutes. There was an uproar from the remaining sixty children on the bus. Finally, after he saw that James Brooks got his kicks and punches at Elijah Bell, Albert Kinsley said, that is enough.

The bus driver then got the children to settle down. The driver tolk Elijah Bell and the others to the principal. The principal talked to the other youths first then he talked to Elijah. The result is the judgement of Mr. Wesley W. Roberts. The principal said that he had to suspend Bell because it was their word against his. He was suspended for three days, ending on October 17. Of course, it was not taken into account that Elijah Bell is on the honor roll. The innocent youths, Harvey Waldrep, Roger Brooks, Gwyn Blair, not only did not make the honor roll, but are in constant trouble at the school. (James Brooks is 18 years old and in the 8th grade.) Elijah Bell has never been a trouble maker.

Not only has there been an injustice, but also the teachers who were shocked and concerned about the mistreatment of Elijah Bell are themselves under pressure.

[n.d.]

MEMORANDUM

To: American Civil Liberties Union
CORE Scholarship Education and Defense Fund
Fr: John Due

Re: State of Florida vs. Norman Robinson,
In the Circuit Court of Jefferson County, Florida

BACKGROUND

Jefferson County is a county in North Florida with a total population of a little more than 5,000 which is 59½ per cent Negro. This is a rural, very small, multi crop county, including cotton and tobacco, with one of the worst problems of school desegregation, discrimination in employment, and police harassment and intimidation. In recent years, white citizen council meetings have been held.

The case below involves Mr. R.E. Hodge, a former county employee who was removed, it is said, because of his alcoholism. Since the time that he was employed by the county, he has been the operator-manager of the Sinclair Service Station which is across the street from the Court House, towards the east. This same man has shot at, threatened to shoot at and use violence towards other Negroes, which included Bill Cante, Robert Mack, and Frederick Beach. Sometimes he appears to be pleasant and courteous towards Negroes, but apparently, it takes very little to initiate him into a rage with the result of violence. This case exposes the conduct of Mr. Hodge for the first time. Before this, witnesses or persons assaulted, aware of the county officers of the law, who supported and protected Hodge, have not come to us for relief.

FACTS

On August 13, 1966, the Webster boys were having trouble with their automobile, needing to repair the generator. They stopped by the Sinclair Service Station and were receiving assistance from one of the employees when Mr. Hodge chased the boys away. The Webster boys, who by the way happen to be Negro youths, went to a club which is commonly described in this area as a "juke joint" for entertainment. Stopping at the Sinclair Service Station on their way home, to get some soft drinks, they again were threatened by the same Mr. Hodge, who now had a gun in his hand. They left the place immediately and drove to the home of Mrs. Grace Hardy, who lives outside the town, to report the incident.. Mrs. Hardy is a citizen of Jefferson County who has testified before the Florida Advisory Committee to the United States Civil Rights Commission and is an active civil rights fighter, on the order of Dr. R.B. Halling.

The next morning, the Webster youths came by the home of Mrs. Hardy and indicated that they were going to the service station to complain and to protest. They had their father with them. Grace Hardy's husband Owen said that he would be along in a few minutes but first he had to dress. The Websters drove off. Owen Hardy went with Mr. Norman Robinson, an SCLC worker from Jacksonville, who was working in Jefferson County.

When Owen Hardy and Norman Robinson got to the service station, t they did not see the Websters. After some time, Norman Robinson asked Mr. Hodge about the incident. Mr. Hodge immediately went to get his rifle. Norman Robinson went to his car and was attempting to get inside the car and get his pistol, when Mr. Hodge had shot twice into the car. Norman Robinson shot Hodge in the arm. Norman and Owen left. While they were leaving, one more shot was fired by Mr. Hodge, which hit an air conditioner across the street. That night Norman Robinson was taken into custody.

The following are the full statements of several witnesses, who are: Joseph Webster, and the others who were with him, Lester Bert Parker, Mr. Owen Hardy, and Mr. Norman Robinson.

JOSEPH WEBSTER ET AL.

At about 11:00 P.M. on Saturday, August 13, 1966, Joseph Webster, Laurie Webster, Henry Sneed, Willie Sneed, and Sylvester Sneed, were in a 1962 Bel Aire, which belonged to Laurie Webster. They were in town attempting to go to a place called the "Space Age". This is a juke joint. Apparently, they believed the battery of the car was discharging because the lights were getting dim and the generator light was on. They drove up to the Sinclair Service Station.

Present were Mr. R.E. Hodge and Mr. A.N. Revell III, who is about 17 years old. Also present was a police officer by the name of Judah. He asked the Webster people in a friendly tone what was wrong, and if they were running out of gas. The Webster group said that no, it was their generator. Present also, was a hostile white youth by the name of King, who attended Jefferson High School, the same school as that attended by Joseph Webster.

King and others have been intimidating and had assaulted Joseph Webster. Webster had complained to the county judge who also acts as the juvenile judge. A secret hearing was held without the presence of Joseph Webster or his parents. Webster's mother was informed by Juvenile Court Judge Cooksey, that he had placed the King boy on probation. This incident involving King and Webster had happened one month prior.

And so, as the Websters drove up, King, who was leaving, saw them, stopped and went inside the filling station to talk to Mr. Hodge. Mr. Hodge then walked up to them and said, "This is not a garage, get out of here." He was slapping his right pocket as if he had a pistol. And as Henry Sneed said, "What about a screw driver?" Hodges said, "Shut up, don't give me any lip." The Webster boys then left for the "Space Age" Club.

After an hour, these same people, the Websters, left the "Space Age" Club driving towards the country outside of Monticello stopping at the Sinclair Service Station to get some soft drinks. Joseph Webster had gotten his carton of drinks from a self service ice box and the other three people were in the process of getting their drinks, when Doc Hodge saw them. He came up to them, saying, "Didn't I tell you God damn it not to park here anymore?" The Sneeds boy said, "Why can't we park here to get our drinks?" Doc Hodges then pulled a gun, a short snubbed nose gun. He was pointing the gun at head level towards Joseph Webster and the three other boys. He was only about three feet away. Doc Hodge cursed them calling them "filthy scum" and said, "Don't come back, if one of you has to die, maybe two or three will go with him." After that all the Webster people got into the car and left. While they were talking another car of Negroes, who they did not know, were at the service station, observed the incident and drove off.

The Webster people then went to the home of Grace and Owen Hardy and reported the incident to them. The next morning, Sunday, at about six or seven A.M., they again stopped by the Hardy home, telling them that they were going to the service station. But before they could get to Highway 27, the car stopped because the battery was dead. They werea able to push the car onto 359 to the house of a mechanic.

BERT PARKER

See the attached statement of Bert Parker as given to Dean Punke.

OWEN HARDY

On Saturday, August 13, 1966, at about 10:30 or 11:00 P.M., Owen Hardy drove his 1962 Chevrolet to the Sinclair Station near the Court House. Norman Robinson accompanied Owen. Before he went to the service station, the Websters had been by his house and told him about the incident. Inside the house were Norman Robinson, Grace Hardy, Sidney Daniels, a CORE worker from Panama City working in Jefferson County and Margaret, a SCLC worker from Jacksonville.

Hardy and Robinson left about an hour and one half later to get some transmission fluid and gas. Mr. Hodge courteously waited on Hardy. While waiting to get transmission fluid, Mr. Hodge stopped to wait on some Negro boys that live in Rooster Town, Jefferson County, including John Brown. He waited on them and did not take any funds for the gas. Mr. Hodge came back to the service station and would not inform Hardy as to how much the transmission fluid was. With the silence, Hardy said, "I'll see you later," and then drove off.

That next morning, August 14, 1966, the Websters came by and woke up Owen Hardy and Norman Robinson and said that they were going into town to get a tire changed and didn't know where to get a tire except at the Sinclair Service Station. They said that because they didn't know what to expect, they would want to know if somebody else would go with them. Owen, believing that Mr. Hodge would not do the same thing to the boys if someone else was with them, said, "Yes, Call the Sheriff, I don't have any clothes on, I'll be there in a few minutes." Owen Hardy and Norman Robinson left in about 10 or 15 minutes after the Websters left.

Robinson took the CORE car which he had in his custody. Norman had a pistol in the glove compartment and Owen knew that it was always there. Norman drove to the service station and did not see the Websters. They did see the Revell boy, Hodge and another white person.

Owen was sitting in the front seat on the passenger side. He got out of the car which was parked in front of the station and went inside. The Revell boy asked Hardy if he could help him and Owen said, "Yes,I want a package of cigarettes." Before Owen got inside the service station, the Revell boy asked Norman if he could help him. Norman said, "I want to get some air for the spare tire." Norman had just finished filling the spare tire with air when Hardy got back to the car. Norman then went around the car to the front and opened the hood, to check the oil. Norman gave the oil gauge back to the station attendant, Revell. Then Norman walked to the west side of the station. Owen's door was open and he was sitting inside the car.

Owen asked Mr. Hodge if the boy that stopped last night had given him cause to draw a gun. Mr. Hodge said, "You damn right I did, just wait a minute." Hodge walked out the north side of the station to aheaza Norman turned and walked toward the back of the CORE car. Before Norman could get to the CORE car, Hodge had reached into the car and pulled a carbine out. Norman could only be looking at Mr. Hodge who had cocked the lever on the carbine and was pointing it in a shooting position. But Owen knew that Norman was behind him in back of the car. Owen heard Hodge say, "If you got a gun, draw it." Norman did not say anything. Then Hodge fired the first shot. The shot did not hit the car, but hit the flag pole across the street, with a loud Ping. There was no pause between the first and second shots. Approximately after the second shot, Owen heard glass breaking on the other side behind his back. Owen could see that Norman was near the front of the car behind the hood. At about the end of the second or third shot, Norman had opened and closed the front door. Owen could see that Norman's head and right hand was in the car and a gun was in his hand. Owen believed that when Norman was shooting, he shot through the back door, about three shots in succession. It is possible that the other man had shot at him also. The other man sitting inside the station said, "Don't shoot, don't shoot." Norman than came around to the front of the car. The other man had gone inside the station. Norman said, "Then tell him not to shoot." Owen got up and then fell and Norman took Owen by thearm and helped him into the seat of the car. Norman got into the car and drove off, and heard one shot which hit an air conditioner across the street.

NORMAN ROBINSON

At about midnight on Saturday, August 13, 1966, Joseph Webster and three other persons came by the house of Owen and Grace Hardy, the people with whom I was living. They came and said tha they had gone to a Sinclair Service Station to borrow or ask to use a screw driver. A white boy by the name of King drove up and said, "I'll kill the niggers."

We went to the service station to put some air in the spare tire and Owen got some gas. We were driving Owen's car. When Owen asked for some gas, the attendant said, "Help yourself." That was the end of that.

The next morning, about 6 o'clock, Joseph Webster and his father and three others came by the house. They were in Laurie Webster's car. I overheard them to say that they were going to talk to attendant Hodge. They then left. Owen Hardy told me, "Lets get ready and go." We both went into town to see what would happen to the Websters. I had a .32 caliber pistol with me because we believed that the attendant must be somewhat crazy. We didn't see the Webster people. Owen went inside to get some cigarettes.

After he got the cigarettes, I went and asked Mr. Hodge about the incident. I told him that the fellows said that he had drawn a gun. He said, "God damn right," He turned around and went towards the door where his car was parked. Owen then said, "Let's go." I was going to get in the car when I heard these shots. Glass was being hit on the driver's side. Owen was sitting on the passenger side in the front seat. I heard another shot, so I went and got my pistol. The pistol was on theseat. (He told both Assistant State Attorney Morrison and the Sheriff that the gun was on the seat.) I then fired about three shots. Owen Hardy was lying down in the seat when I shot. There was another white man in the service station by the name of Allen, who cried, "Don't shoot." I said, "Well you tell him not to shoot." Owen was apparently hit and I went around the car to help him get in the car. Then I got in the drivers seat and drove off. I heard another shot which hit the Court House or a building near the Court House.

LEGAL PROCEDURE HISTORY

On August 15, 1966, Norman Robinson was formally arrested. Pursuant to a warrant signed by the County Judge of Jefferson County, Kenneth E. Cooksey, On August 17, 1966, preliminary hearing was waived and he was bound over for investigation by the grand jury to appear before the court for arraignment on November 7, 1966.

His bond was set at $2,000.00. The warrant reads as follows:

> Whereas J.B. Thomas, Sheriff in and for Jefferson County, Florida has this day made oath before me, August 14, 1966, in the county aforesaid, One Norman Gus Robinson, Jr., with a deadly weapon, to wit a pistol, a better and more particular description being to affiant unknown, which he, the said Norman Gus Robinson, Jr., then and there had R.E. Hodge, he the same Norman Gus Robinson,Jr., then and there having premeditated designs and an attempt to affect the death of the R.E. Hodge, then and there assault being made and him the said R.E. Hodge did then there shoot.

Please advise me as to some of the steps I may needto take, prior to arraignment on November 7, 1966. One may argue that this is not just a "civil rights" case or a "civil liberties" case. But the issue still remains that Norman Gus Robinson,Jr. will not get equal justice under the law in Jefferson County or in any of the surrounding counties, because he is a Negro who is actively involved in civil rights work and is being prosecuted by a white person connected with the power structure of the county. Norman Gus Robinson is recently from New York, was living in Jacksonville for a few months, when under the sponsorship of the SCLC chapter in Jacksonville, he came into Jefferson county to participate invoter registration and community organization work with CORE. Norman had been there about 2 months when the even occurred.

The story is that Mr. Hodge mistook Norman Robinson to be Sidney Daniels, who, as a taskforce worker for CORE for the last two years has been active in Jefferson County and was identified in the community.

Although the median Negro income in this county is nearly as low as $500.00 annually, the Negro community raised $250.00 to pay a surety bondsman and Norman is in the vicinity working, waiting for developements.

Thank you.

Yours truly,

John D. Due, Jr.

[Nov.-Dec.
1966]

To: Mr. David Seeley
Special Assistant to
United States Commissioner
of Education
Washington, D.C.
Re: Civil Rights-Education, State of Florida, Madison County

Mr. Elijah Bell, by and through his mother Lula Mae Bell, and the undersigned attorney, John D. Due, Jr., complains of the School Board of Madison County, Florida, for the denial of his Civil Rights, and racial discrimination regarding his receiving benefits of federal programs, based on the following information.

Elijah Bell is 18 years old. He attends Greenville High School, Madison County, Florida. He is the only Negro that rides the school bus operated by the school board and has been riding the bus this school term. Elijah is a senior and this is his first year attending Greenville High by means of the free choice plan operated in Madison County under the United States Office of Education Guide Lines.

There are about 19 or 20 Negroes who are attending Greenville High. This is the second year Negroes are attending the school. All the while Elijah Bell has been riding the school bus, he has been under a constant harassment and intimidation by certain white youths on the bus. They have been throwing paper, throwing rocks, throwing iron bolts, and insulting Elijah Bell, as to his ancestry calling him nigger", son of a bitch, etc. These particular white youths are: James Brooks, Harvey Waldrep, Roger Brooks, Gwyn Blair, and James Gwyn, the main instigator and trouble maker at the school.

The first day, Elijah Bell did not say anything to anyone. ; On the second day, he turned to the above group and requested that they stop. They did not stop. On or about the third day, when the harassment did not terminate, Elijah Bell asked the bus driver, Albert Kinsley, for help. The driver only laughed". The driver knew w who participated in the harassment and said that they did not mean it. This same driver had ordered Elijah Bell to sit in the front seat and being exposed from the rear, he has been constantly subject to a barrage of missiles from the above undisciplined white youths.

Elijah Bell went to see the principal, Mr. Wesley W. Roberts, either on Friday or on Monday, about the 4th day of school, to complain about the treatment received on the bus. The principal listened and said, I can not do anything, it is out of my jurisdiction. I sympathize, but there is nothing that I can do, the bus driver has to make the complaint. Elijah Bell went to see the principal about six or seven times. Mrs. Lula Bell, the mother of Elijah Bell, then went to see Mr. Griffin Bishop, the Superintendant, on Friday, October 7, 1966. She complained to Mr. Bishop about the treatment her son was receiving from the school and these youths, and asked for a transfer to another bus because she had no witnesses who would tell the truth about what was happening to Elijah Bell. The Superintendant said that he could not transfer Bell to another bus because it would be hard for others, and said that if it did not get better, to come back in two weeks.

On October 10, the same boys, in a pre-arranged plan, surrounded Elijah Bell and kept up a constant barrage of missles. Again Elijah asked the driver for help. The driver acted as though he did not hear Elijah. Bell then turned around and asked the boys to stop. James Brooks said, : Are you talking to me nigger? Elijah Bell said, : I am talking to you only if you are doing it. James Brooks said, : If I want to hit you I would have hit you by now,and then he hit Elijah Bell in the face. Elijah Bell then struck back, and was defending himself, when the four boys, Harvey Waldrep, Gwyn Blair, Riche Gwine, Roger Brooks, held him. The bus driver then watched while James Brooks and the others kicked Bell. Elijah was kicked on the legs , hit in the stomach, and face by all of the above youths. This continued for about ten minutes. There was an uproar from the remaining sixty children on the bus. Finally, after he saw that James Brooks got his kicks and punches at Elijah Bell, Albert Kinsley said, that is enough.

The bus driver then got the children to settle down. The driver tolk Elijah Bell and the others to the principal. The principal talked to the other youths first then he talked to Elijah. The result is the judgement of Mr. Wesley W. Roberts. The principal said that he had to suspend Bell because it was their word against his. He was suspended for three days, ending on October 17. Of course, it was not taken into account that Elijah Bell is on the honor roll. The innocent youths , Harvey Waldrep, Roger Brooks, Gwyn Blair, not only did not make the honor roll, but are in constant trouble at the school. (James Brooks is 18 years old and in the 8th grade.) Elijah Bell has never been a trouble maker.

Not only has there been an injustice, but also the teachers who were shocked and concerned about the mistreatment of Elijah Bell are themselves under pressure.

December 8, 1966

Mr. David Seeley
Special Assistant to
United States Commissioner
of Education
Washington, D.C.

Dear Mr. Seeley:

This is an addendum to the letter of December 7, 1966 concerning Mrs. Sinclair Miller of Greenville, Florida.

Mrs. Miller had advised her children that they did not have to accept the abuse of the other children on the school bus. She told them to protect themselves. One of her children, Tyrene Bryant Miller, on December 6, 1966, protected herself from the Drigger boy, who is white. He deliberately stepped on her feet and had been throwing hickory nuts at her. Both children were brought before the principal of Greenville High School, Mr. Wesley Roberts. He disciplined only the Miller child. He harassed her, intimidated her, and indicated that she would have to control her temper and told her that she would not be able to ride the school bus for five days.

Again these children have been hit by hickory nuts, pine cones, etc., but Principal Roberts told the mother that he will only take the word of the bus driver. The bus driver, Raymond Howell told the children that he personally was going to see that all these Negro children are expelled from school.

I would appreciate any information from Federal or State sources as to action which shall be taken in this matter.

Yours truly,

John D. Due, Jr.

Cc Mr. Derek Bell
Mr. Harold Braynan
Mr. Carl Rachlin
Mr. Marvin Rich
Miss Jean Fairfax
Miss Suzanne Price

Phone 222-2317

JOHN D. DUE, JR.
ATTORNEY AT LAW
540½ West Brevard Street
Tallahassee, Florida

December 13, 1966

Mr. Carl Rachlin
150 Nassau Street
New York, New York 10038

Dear Carl:

The memo that I am sending you will give you an idea of our office expenses.

Yours truly,

John D. Due, Jr.

John D. Due, Jr.

Enclosure

cc: Mr. Marvin Rich

[n.d.]

MEMO

TO: John Due

FROM: Richetta J. Brown

Subject: Monthly Expenses of Law Office.

Joan M. Mersman	-	$200.00	per	month	(salary)
Jeneice Williams	-	50.00	"	"	"
Richetta J. Brown	-	300.00	"	"	"
John D. Due, Jr.	-	500.00	"	"	"
Telephone	-	150.00	"	"	
Stamps	-	23.00	"	"	
VW.	-	50.00	"	"	
Rent	-	80.00	"	"	
Mr. Watson	-	16.00	"	"	"
Papers	-	2.20	"	"	
Linen Service	-	13.65		"	
Utilities		11.00	"	"	
Gas	-	6.00	"	"	
Photocopy Machine	-	18.91	"	"	
Office supplies	-	30.00			
Total					
		$1.450.76			

THE SOUTHERN COMMUNITY NEWSLETTER

Prospectus-first draft

It is indeed significant that it was in 1865 when written expressions of Freedom were established in fact, and in 1965 the same expressions of Freedom need again to be established in fact. The need is present, based upon Southern History. 1865 marked the beginning of the Southern Counter-Revolution, using for the first time massive false propaganda, racism, which effectively reverted freedom and liberty to mean slavery and the exploitation of man. It was not until 1954 that the legal consequences of this doctrine was stopped, and 1964, which marked its overthrow, through the techniques of Ghandian non-violent direct action. But 1965 marks a most important phase. The impending victory shall be reverted, as the surrender at Appamattox was made meaningless unless we engage in further action-Collective Action of Reconciliation.

I propose the establishment of a newsletter-initially covering the area concerning the Florida Counsel-for the purpose of initiating collective action of reconciliation. The method is to educate as to the uses of community action-invloving all races and all peoples. The newsletter is to argue at all times that each person shall not be denied the opportunity to participate fully in developing his community, in which both races live. Its contents shall include news of civil rights and civil liberties, and community action in which both races should be participating, i.e. Anti-Poverty-Agricultural Workers. Most particularly, it shall include the news of the North Florida Citizenship Education Project and news of the Florida Counsel. It shall serve as a medium of communication concerning programs and meetings,-in order to unite the total community.

As a medium of education, it shall be somewhat similar to the non-profit Miami Peace Newsletter, published by the American Friends Service Committee. It is indeed relevant to the overall program of the Florida Counsel because of his work in community action and civil rights.

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

1. Redraft the swimming pool suit

2. For the next two weeks (dictate and draw one page summaries:

(1) Swimming pools

(2) Desegration of Educational facilities

(a) Suwannee Plan- live oak

(b) Jefferson plan

(c) one page memo attacking all of these plans

(d) Letters to: 1. Dr. Clark

2. Constance Curry

3. Barbara Moffett

4. Charles Wilson-indicate willingness to cooperate as a CORE cooperating attorney without fee. (I am not soliciting)

(3) Desegregation of Employment

(a) State employment

Chattahoochee Hospital

Gadsden Hospital

(b) U. S. office of Employment Services

Gainesville (memo) with letter to Carl Rachlin about program to follow-up

(c) Labor Unions

Letter to Negro Fender (woodworkers AFL-CIO)

Survey for finding the unions and their policy

(d) Minimum Wage

Survey of agricultural workers -wages & living conditions Gadsden & Leon County

Migrant workers

(4) Public Accomodations

(a) one page memo on places still segregating in our area

(b) bring our files up to date on complaints

(c) send to Carl for his criticism a model complaint

(5) Public facilities

Write aletter asking [illegible] hospitals have complied and demand copy of [illegible] hospitals

write Earl Johnson copy of his hospital desg. complaint

Welfare services

discrimination within program

sub-agencies

heart clinic

vocational rehabilitation

hiring

(6) Housing

letter to HEW for information on public assistance to housing.

letter to Houston AFSC and Indianapolis "self help" housing

memo-co-op housing New Mexico

write other sources for information

memo- equal housing presidents order and its lack

write Carl Rachlin re: discrimination in listing

(7) War on poverty

current memo

write to Redwing

Memo on small business co-operatives
Memo on how to form a producing co-operative
Proposal to National CORE, that CORE initiate a Community Action program in Calhoun, Liberty, Gulf, Franklin and Wakulla counties

AN APPEAL TO THE GOVENOR
AND THE LEGISLATURE OF THE STATE OF FLORIDA

WHEREAS, history dictates that no assembly of men can govern by merely avoiding the social questions of the day, closing their eyes, by not speaking out, by not hearing;

WHEREAS, the message by the Govenor to the Florida Legislature on April 6, presented no affirmative program to deal with the needs of the people;

WHEREAS, according to our information and belief, there is no concern by the new 1965 legislature to, on their own initiative, present and enact a meaningful program which shall serve all the citizens of the State of Florida. WE, THEREFORE, appeal to you our govenors, our representatives, to carry out your oath, to the State and to the United States, to serve the people and enable us to support you in good faith without the need to protest, without the need to cause conflict and to make those laws which shall achieve the following: (1) a law which shall achieve the immediate and complete desegregation of all the public schools in the State of Florida, including the pupils, faculties, administrators and employees, and that such plans of desegregation shall not allow the result of racial imbalance. (2) a law which shall achieve accreditation of all the public schools of the State of Florida, and which shall assist financially the public schools of those counties who are of such disparity, as not to be within 20% of the standards of the highest accredited schools in the State of Florida. (3) a law enacting that it is a crime for the county assessors of the State of Florida to willfully assess property less than its full value. (4) a law which will give authority to counties to participate to the fullest extent with the Economic Opportunity Law of the United States and all other Federal programs, that the counties will have authority and power to enter into agreements with other counties, and that the counties have the power to exercise corporate functions. (5) that a law be enacted to provide fair labor standards to all those employees excluded by the fair labor laws of the United States, and that the State of Florida provide those minimum standards which are at least equal to the standards and protections provided foreign farm workers in the United States. (6) that a law provide a minimum wage of $1.25 per hour, or a minimum wage for those employees working by the piece rate, which would achieve a similar result of $1.25 per hour, for all those employees not covered by the Federal Minimum Wage Law. (7) that a law provide workman's compensation to be extended to all employees of the State of Florida including agricultural workers. (8) a law providing for a State Welfare program to provide assistance to residents of six months or more, such assistance to include medical and hospital care. (9) a law revoking the present right to work law. (10) a law amending the present voting law, which shall include the following (a) the provision, requiring that ones civil rights be restored, be revoked (b) that upon the petition of 25 electors of the county, stating the need, the Registrar of the county appoint deputy or volunteer registrars who shall have the duty to go into the community to seek the registration of the non-registered. (11) a law revoking capital punishment. (12) a law amending the present State Child Labor Law, with respect to agricultural workers, to include: (a) the establishment of a minimum age of fourteen (14) years of age for children working outside school hours and during vacations, (b) the deletion of the parental exemption, (c) state assistance be provided for the education of children of migrant workers and such state assistance to include intensive education for the purpose of remedying their disparity with their contemporaries. (13) a law providing for the nondiscrimination by the State Employment Services and all other State and local facilities. (14) a law providing substantial wage increases for law enforcement officers, but to include the requirement that all law enforcement officers have had to have concluded courses in criminology, have had to have passed psychological tests demonstrating mental stability, that all present law enforcement officers must meet with these requirements, and upon a failure, such enforcement officers must be released from their authority. (15) that the State of Florida shall establish a state committee on civil rights to enforce the protection of civil rights, the committee shall have investigative powers and and qua si judicial powers, and this committee shall have jurisdiction over all employers, unions, places of public accomodation, including all those establishments which are licensed by the State of Florida to carry on a business or occupation and all other public facilities operated by the state or local bodies. (16) that a Public Defender be provided for indigent defendants at all stages of a criminal proceeding, including the time of arrest and booking. (17) that a law enact a State Public Housing Program with the purposes to provide adequate public housing for those citizens of the State of Florida who are unable to procure adequate housing on the open market, and to provide adequate housing for those citizens of the State of Florida who projects, whether such urban renewal projects are federal or non-federal.

Spiver Gordon
Florida Field Secretary
Congress of Racial Equality

Rutledge Pearson
President
Florida State Conference
of NAACP

Reverend C. K. Steele
Vice President, and Florida
Representative
Southern Christian Leadership
Conference

Edwyn E. Lewis, Jr.
Executive Driector
Florida Council on Human
Relations

P.S. I am Behind in
newspaper clippings,
so I hope Spiver
had caught the
release. This was a "rush" job.
John

Made this *day of* **April** *, A.D. 19* **63**

By and Between **EDWARD MILLER,**

herein called the lessor *, and* **JOHN DOE,**

herein called the lessee ,

Witnesseth, *That in consideration of the covenants herein contained, on the part of the said lessee to be kept and performed, the said lessor* d**oes** *hereby lease to the said lessee* , *the following described property:*

Rooms 1 and 4 of the premises located at 540½ West Brevard Street, in Tallahassee, Florida

Monthly rental payments shall be mailed to lessor at Post Office Box [illegible], Tallahassee, Florida, or in care of S. [illegible] Stafford, 1600 [illegible] Drive, Tallahassee, Florida.

To Have and To Hold *the same for the term of* **one (1) year** *from the* **1st** *day of* **April** *, A.D. 19* **63** *, the said lessee paying therefor the* **monthly** *rent of* **Eighty and no/100 ------------** *Dollars.* *And the said lessee covenant***s** *with the said lessor to pay the said rent in* **monthly** *payments of* **$80.00** *each on the* **1st** *day of each and every* **month** *for the said term, the first payment to be made on the* **1st** *day of* **April, 1963** *; to make no unlawful, improper or offensive use of the premises; not to assign this lease or to sublet any part of said premises without the written consent of the lessor ; not to use said premises for any other purpose than as a* **law offices or similar uses** *, and to quit and deliver up said premises at the end of said term in as good condition as they are now (ordinary wear and decay and damage by the elements only excepted). And the said lessee hereby covenant***s** *and agree***s** *that if default shall be made in the payment of the rent as aforesaid, or if the said lessee shall violate any of the covenants of this lease, then said lessee shall become tenant at sufferance, hereby waiving all right of notice, and the lessor shall be entitled immediately to re-enter and re-take possession of the demised premises.*

Witness *our hands and seals this* *day of* *, A.D. 1***63.**

Signed, Sealed and Delivered in Presence of:

Edward Miller
EDWARD MILLER, Lessor

Anthony K. Irving

John Doe (SEAL)
JOHN DOE, Lessee

State of **FLORIDA**

LEON **County**

I Hereby Certify, *That on this day before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared* **JOHN DOE,** *to me well known to be the individual described in and who executed the foregoing lease, and* **he** *acknowledged before me that* **he** *executed the same for the purposes therein expressed.*

In Witness Whereof, *I have hereunto set my hand and affixed my official seal at* **Tallahassee** *, said County and State this* *day of* Apr. *, A.D. 19* **63.**

S. T. [illegible]
Notary Public, [illegible]
My commission [illegible]

My Commission expires on the *day of* *, 19*

NOTARY PUBLIC STATE of FLORIDA at LARGE
MY COMMISSION EXPIRES NOV. 8, [illegible]
BONDED THROUGH FRED W. [illegible]

				DEPOSIT	CHECKS	BALANCE
#0127	4/21	withdrawn from JDD trust account and deposited in CORE-SEDF (to open account)	✓	10614		
0128	4/26	Jack Levin Moving & Storage	✓		15 –	9114
0129	4/26	Patricia Due (travel expenses to Miami)	✓		2415	6699
0130	4/29	JDD (partial reimbursement for personal funds used in office)	✓		2991	3708
0131	4/30	Postmaster (postage	✓		5 –	3208
0132	4/30	Sidney Daniels (expense advance for trip to Suwannee County)	–		15 –	1708
SC		Service charge from JDD trust account for April	✓		154	1554
138	5/6	JDD (field trip to Dannsville)	✓		5 –	1054
.129	5/10	Cash (Reimbursement to petty cash fund - see receipts)	✓		7547	(6493)
	5/10	Deposit from SEDF & other	✓	31105		24612
130	5/11	Ro-Mac Lumber Co	✓		3710	20902
131	5/11	Postmaster	✓		5 –	20402
132	5/12	Sec of State (Florida)	✓		1050	19352
133	-	VOID		—	—	—
134	5/17	Mason's the Curiosity Shop	✓		2344	17008
135	5/18	Bill's Pure oil	✓		2769	14239
136	5/18	Legal Diary Publishing Co			1085	13154
137	5/21	Filing fee Gordon v. Tallahassee			15 –	11654
	5/21	Deposit SEDF		9264		20918
138	5/21	Gordon v City of Tallahassee fee.	✓		175 –	3418
139	5/21	Postmaster (postage)			10 –	2418
	5/24	Deposit	✓	50 –		7418
140	5/24	ALTHEA MITCHELL - Secretarial services	✓		25	4918
141	5/28	Rent - University Homes Inc			80 –	(3082)
142	5/29	Althea Mitchell Secretarial services			25	(5582)
	5/31	Deposit from SEDF		212 –		15618
143	5/31	J E Faucette - reimpursement for cash disbursement - Wash, D.C			670	14948
144	6/2	Lewis State Bank - payment on loan - see march report			100 –	4960
SC		Service Charge - May			154	4834

EXPENSES PAID IN BEHALF OF CORE SEDF

A. [illegible] D Dunn Jr. - Trust Account

Date	Check #	Payee		Amount	Comment
4-1-65	114	University Homes	✓	30-	Rent
-5	6	Roy E. Lett, Tax Collector		775	County License
-5	7	City of Tallahassee		50	Copy - Building Code
-6	9	City of Tallahassee		25-	City License
-7	120	Bob's Bicycle Shop		206	Desk Key
-9	2	Kinnebrew Motors		309	Le Ann Auto Repair
-9	4	Le Ann Fancotte		75-	Salary
-17	6	Stuart Wechsler		635	Transportation to Atlant
-26	8	Jack Levins Suddath Mo		15-	Furniture Cartage
-30	131	Postmaster		5-	Postage
	✓	Sidney Daniels		15-	Travel

B. CORE SEDF Account

Date	Check #	Payee		Amount	Comment
5-10	149	Cash	~~70~~ 9.10	39.10	Salary Le Ann Postage + Petty Cash Balance of check, $35.47, was for Auto expense - and is not reimbursabl
-11	150	Ro Mac Lumber Co		37.10	Lumber for book cases - Should CORE pay this in fu
	1	Postmaster		5-	Postage
-14	✓	Tom Adams, Secy of State		10.50	Legal Expense
-17	4	Masons		1344	Office Furniture - Should CORE pay this in full?
-18	6	Legal Diary Publishing Co		10.85	Law Diary + Manual
-19	7	Clerk, U.S. District Court		15-	Filing Fee
	8	U.S. Marshall		175-	" "
-21	9	Postmaster		10-	Postage
-24	160	Althea Mitchell	2	75-	Secretarial Services -
-24	1	S.T. Tanner		80-	Rent - May
-29	✓	Althea Mitchell	2	75-	Secretarial - Does this indicate 2 secretaries in Florida? - See ck# 14
-30	3	Le Ann Fancotte		6.70	Telephone, Literature
6-1		Bank Charges		1.57	
				569.08	
				5.99	

CHECKS NOT INCLUDED IN REIMBURSEMENT

DATE	CHECK #	PAYEE	AMOUNT	COMMENT
		a. JOHN D DOE JR TRUST ACCOUNT		
4-4-65	115	LE ANN FANCETTA	50 –	REIMBURSEMENTS WILL BE MADE BY CORE SEDF ONLY FOR SPECIFIC EXPENSES
	118	NO RECORD OF CHECK		
-8	141	WOOLWORTHS	143	NO EXPLANATION SUBMITTED
-13	145	MRS PATRICIA DOE	100 –	DUE - PERSONAL
-14	147	LEWIS STATE BANK	1064	PERSONAL TRANSFER OF FUNDS
-16	149	PATRICIA DOE	[illegible]	FOR TRANSPORTATION TO MIAMI – NO REASON GIVEN WHY CORE SEDF SHOULD PAY
-24	150	JOHN D DOE, JR	4991	(SEE COMMENT CK #115)
		b. CORE SEDF ACCOUNT		
5-6	128	JOHN D DOE JR	5 –	AUTO EXPENSE
	133	VOID	–	
-18	135	BILL'S PURE OIL STATION	769	AUTO EXPENSE
6-4	144	LEWIS STATE BANK	100 –	PERSONAL
			4443	

JOHN DUE

PENSES B-TOTALS	TOTAL-OFFICE	DUE	FAUCETTE	CARL RACHLIN	BILLS ARE OIL	A.B. DICK	STAFFORD	LEWIS STATE BANK
h	30 –							
uette - Salary	25							
. Dick	3235							
ital Supplies	10 07 6701							
n Due (for auto tag)	~~1440~~							
theastern Telephone Co	14440 No Bill submitted							
ilities (Deposit)	52 –							
s (office)	103		103					
n to John Due	10		10 –					
(office)	52		52					
ice cleaning supplies	387	387						
ice supplies	247		247					
	36		36					
mps	100		100					
writer Cleaner	64		69					
gora	101		101					
ils	40		40					
n Light (office)	477		477					
Dick (photopaper)	1173					11,13		
h Mark supplies	790							
Due Personal funds	20 –	20 –						
uette Personal funds	40 –		40 –					
room supplies	140		140					
able receipt	221	221						
"	222	222						
a-Transportation (see 6 expense report)	9 –	9 –						
TOTALS	485.64	3730	6325			11.13		

JOHN DOE -

…XPENSES		TOT OWING	DUE	FAUCETTE	CARL RACHLIN	SE OF	BUSARE OIL	A.B DICK	STAFFORD	LEWIS STATE BANK
…rsonal advance from …arl Rachlin		100-			100-					
…pense in excess of above …oan		291	291							
…lying - transportation - Mark… (see Feb 27 Expense Report) /		102.91								
…lying - transportation - Marsh… (see Mar 6 Expense Report) /		540	540							
…sonal Loan - Lewis State …nk ($100. less $8.15 interest)		4685	4685							
…ense in excess of above …an		83.	83							
…rest on above Loan		315								315-
…portation - [illegible] (see …ch 6 expense report) /		33.78	33.78							
… Repair [illegible]	found	30-.								
…s line		459.								
…l	found	21-.								
…l	found	35-.								
…line		2764 } 1					2769			
…line		418	418							
…portation - Marsh… (see …h 6 expense report) /		1266	1266							
… Clark - [illegible]		6- 1								
…Personal [illegible]		5-	5-							
" "	found	21	21-							
…icket		5-	5-							
(deposit)		50-								
TOTAL		57295	1261		100-		2769			

66
2.20
270
210
218
438
197
193
223
244
114
113
259
171
316
114
357
3687

27.69
9.18
2.87

. T5203
Made in U.S.A.

		JOHN DUE		DEBET		DEPOSIT		BALANCE
FEB	22	Personal Loan from Carl Rachlin				100 —	✓	
Feb	27	Lodging-transportation-Meals-(see Feb 27 Expense Report)		102 91	X			(2 91)
March	2	Personal Loan Lewis State Bank $100 less $3.15 interest				96 85		93 94
	-	Auto Repair $25.24 & Cash	personal	30 —	·			63 94
	-	Capital Office Supplies		4 59	X			57 35
	-	Cash Ans. 3/6	personal	21 —	·			38 35
	-	Cash	personal	35 —	·			3 35
	10	Court Clerk Deed		6	X			(2 65)
	12	Personal Funds				5		2 35
	15	Personal Funds				21		23 35
Check 101	-	VOID						
102	-	Cash		30 —				(6 65)
103	24	Rent deposit (office)		50 —	✓			(56 65)
	25	Expense advance CSEOF				323 —	✓	266 35
104	25	Salary Le Faucette		25 —	✓			241 35
105	25	A. B. Dick (supplies)		32 35	✓			209 —
106	25	Capital Office Supplies		67 01	✓			141 99
107	29	Check Mark (supplies)		7 90	✓			134 09
108	—	VOID						
109	—	VOID						
110	25	John Due (auto Tag)		14 09				120 00
111	25	Southeastern Telephone Co.		144 40	✓			(24 40)
112	25	Utilities		52 —	✓			76 40
	29	John Due Personal funds and Le Faucette Personal funds				60 —	✓	(16 40)
	29	TOTAL		622 25		605 85		(16 40)

CORE - SEDF - FLORIDA OFFICE JOHN DUE'S
DISBURSEMENT JOURNAL - MAY-1965

DATE		CHECK	AMOUNT OF CHECK	PURPOSE PETTY CASH	OFFICE EQUIPMENT	POSTAGE	RENT	TELEPHONE	LEGAL COSTS	FIELD EXPENSES	SECRETARIAL SERVICE	AUTO
May 6 1965	JDD - trip to Gainesville	128	5-							5-		
10	CASH Reimbursement to Petty Cash	129	7547	7547								
10	Ro-mac Lumber - (Book cases)	130	3710		3710							
11	Postmaster - (Postage & Stamp)	131	5-			5-						
12	Tom Adams Sec of State - Fla	132	1050						1050			
14	VOID	133	—									
17	[illegible] Shop - ([illegible])	134	2344		2344							
18	B[illegible] PURE OIL STATION	135	2769									2769
18	Lawyers Diary publishing	136	1085						1085			
21	FILING FEE Gordon & Tallahassee	137	15-						15-			
21	MARSHALL FEE " "	138	175-						175-			
21	POST MASTER	139	10-			10-						
24	Althea Mitchell Sec Services	140	25-								25-	
24	University Homes Inc	141	80-				80-					
24	Althea Mitchell Sec Service	142	25-								25-	
31	Le Fanette (telephone calls etc)	143	670					670				
			53175	7547	6054	15-	80-	670	21135	5-	50-	2769

UNPAID BILLS - JOHN D. DUE TALLAHASSEE, FLORIDA MARCH 31 THRU APRIL 28, 1965

	(1) NFCEP	(2) SCOTT	(3) CHECK MARK	(4) A.B. DICK	(5) PURE OIL BILL ROBINSON	(6) DUE	(7) FAUCETTE	(8) ATLANTA CONSTITUTION	
ELEPHONE BILL	25 25								
OFFICE SUPPLIES			1 53 ✓						
" "			~~45 79~~ ~~32 21~~						
" "			1 86 ✓						
POSTAGE							25 ✓		
RANSPORTATION						7 24 ✓			
ASOLINE					34 04				
EY & POSTAGE						1 36 ✓			
OSTAGE							1 — ✓		
EPOSITED IN TRUST ACCOUNT ROM PERSONAL FUNDS						~~65 25~~			
OFFICE SUPPLIES				27 40 ✓					
EWS PAPER								7 50 ✓	
MEALS-U.S. CIVIL RIGHTS OMMISSION HEARING							98 ✓		
OSTAGE							20 ✓		
IGN PAINTING		Shane? 25 - ✓							
FFICE SUPPLIES			20 58 ✓						
" "			15 69 ✓						
TIRE					tire 32 16				
E-CAP TIRES					Recapp 55 72				
OFFICE SUPPLIES				1 39 ✓					
LEANING SUPPLIES						8 60	94 ✓		
FRAME FOR LICENSE							1 01 ✓		
	25 25	25 —	~~66 17~~	28 79	121 92 ✓	~~73 85~~	4 38	7 50	
OTAL COLUMN 1 THRU 8			65 75 ✓						440 74

CORE SEDF FLORIDA OFFICE · DISBURSEMENTS JOURNAL

Date			Check No.	Amount of Check	Rent	Telephone	Auto, Fares	Office Supplies	Postage	Court Fees		General Description	General Amount
Mar	3	Clerk to Calhoun County	102	6 -						6 -			
		University Homes	3	50 -	50 -								
	4	Le Anne Fancette	4	25 -								Salary	25 -
	5	A. B. Dick Products	5	32 35				32 35					
	7	Capital Office Equip	6	67 01				67 01					
	9	Check Mark Office	7	7 90				7 90					
		Void	8	—									
		✓	9	—									
		✓	110	—									
	9	So. Eastern Tele. Co.	1	144 40		144 40							
		City of Tallahassee	✓	52 -								Deposit	52 -

America's largest stationers SINCE 1886
gb GOLDSMITH BROS.
77 Nassau Street, New York 8, New York
No. 270-10D E. Z. TONE PAPER

USE WILSON JONES BINDER
NUMBER 449-26 TO HOLD
YOUR EXPENSE REPORTS.

EXPENSE REPORT

NAME JOHN D. DUE JR.-SCED F PERIOD ENDING FEB 27 19 65

DAY	CITY AND STATE	LODGING	TRANSPORTATION		AUTOMOBILE EXPENSES	MEALS ITEMIZE BUSINESS MEALS BELOW			LOCAL TAXI, CARFARE, TOLLS, ETC.	ENTERTAINMENT	MISC. EXPENSES	DAILY TOTAL
			AIR, RAIL, ETC.	LIMOUSINE, CAR RENTAL, ETC.	ITEMIZE BELOW	BREAKFAST	LUNCH	DINNER		ITEMIZE BELOW	ITEMIZE BELOW	
SUN	NEW YORK	~~14~~ 9				2 00	1 00	2 00				5 00
												4
MON	NEW YORK	14 93				1 00	1 00		8 00			19 93
	JACKSONVILLE		55 23			1 25	1 00					57 48
TUE	TALLAHASSEE		6 00			($3.00 PER DIEM)			50			5 50
												3 00
WED	QUINCY & TALLAHASSEE					($3.00 PER DIEM)						3 00
THU	QUINCY & MONTICELLO					($3.00 PER DIEM)						3 00
FRI	QUINCY & MONTICELLO					($3.00 PER DIEM)						3 00
SAT	QUINCY, TALLA- [illegible] GAINES					($3.00 PER DIEM)						3 00
	TOTALS											102 91

WEEK'S EXPENSES 102 91

ENTERTAINMENT AND BUSINESS MEALS

DATE	NAME OF PERSON(s) ENTERTAINED—COMPANY—TITLE	TIME AND PLACE	NATURE AND PURPOSE OF ENTERTAINMENT	AMOUNT	% OR $ ALLOCATED TO BUSINESS
2-21	SECOND ANNUAL	Park	EDUCATION	5 00	100
2-22	CONE LEGAL INSTITUTE	SHERATON		[illegible] 00	100
	& STAFF CONFERENCE	238 Park			
		ROW			
2-23	$3.00 PER DIEM		LEGAL		
thru	WITHOUT RESIDENCE	IN THE	& EDUCATION		
2-27		FIELD			
			TOTAL	12 00	100

NUMBER OF DAYS AWAY FROM HOME 6

NUMBER OF DAYS AWAY FROM HOME ON PERSONAL AFFAIRS 0

% OF TOTAL DAYS AWAY FROM HOME SPENT ON PERSONAL AFFAIRS 0

NATURE OR PURPOSE OF TRAVEL
EDUCATIONAL & LEGAL

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS.

ITEMIZE ON REVERSE SIDE THOSE EXPENSES NOT REIMBURSED

MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT

AUTOMOBILE EXPENSES

DATE	MILEAGE—GAS, PARKING, REPAIRS, ETC.	AMOUNT

☐ DEDUCT FROM MY ADVANCE

☒ MAIL TO
JOHN DUE: TRUST ACC'T
C/O PETROLEUM BLDG
TALLAHASSEE, FLA.

SIGNATURE John D. Due Jr.

APPROVED

COMPLYING WITH THE U.S. REVENUE ACT OF 1962, P.L.87-834.

EXPENSE REPORT NAME JOHN D. DUE JR. SCED F PERIOD ENDING MARCH 6 19 65

	DAY	CITY AND STATE	LODGING	TRANSPORTATION AIR, RAIL, ETC.	TRANSPORTATION LIMOUSINE, CAR RENTAL, ETC.	AUTOMOBILE EXPENSES ITEMIZE BELOW	MEALS (ITEMIZE BUSINESS MEALS BELOW) BREAKFAST	LUNCH	DINNER	LOCAL TAXI, CARFARE, TOLLS, ETC.	ENTERTAIN-MENT ITEMIZE BELOW	MISC. EXPENSES ITEMIZE BELOW	DAILY TOTAL
28	SUN	MIAMI FLA		6 00			$3.00 PER DIEM						9 00
1	MON	To Tallahassee				5 40	3.00 PER DIEM					8 4	8 40
2	TUE	Tallahass & Quincy				25 24	3.00 PER DIEM					3 95 4 59	36 78
3	WED	Tallahass & Quincy					(3.00 PER DIEM)						3 00
4	THU	Tallahassee & Quincy					(3.00 PER DIEM)						3 00
5	FRI	Tallahassie Attapulgus		4 78		4 88	(3.00 PER DIEM)						12 66
6	SAT	Tallahassie & Quincy					(3.00 PER DIEM)						3 00
		TOTALS											75 84

WEEK'S EXPENSES 75 84

ENTERTAINMENT AND BUSINESS MEALS

DATE	NAME OF PERSON(s) ENTERTAINED—COMPANY—TITLE	TIME AND PLACE	NATURE AND PURPOSE OF ENTERTAINMENT	AMOUNT	% OR $ ALLOCATED TO BUSINESS
2-28 thru 3-6	MEALS AT $3.00 WITHOUT RESIDENCE		Total		
				21 00	100

NUMBER OF DAYS AWAY FROM HOME 7

NUMBER OF DAYS AWAY FROM HOME ON PERSONAL AFFAIRS 0

% OF TOTAL DAYS AWAY FROM HOME SPENT ON PERSONAL AFFAIRS 10

NATURE OR PURPOSE OF TRAVEL EDUCATION AND LEGAL

ITEMIZE ALL REIMBURSABLE EXPENSES IN APPROPRIATE BLANKS.

ITEMIZE ON REVERSE SIDE THOSE EXPENSES NOT REIMBURSED

MISCELLANEOUS EXPENSES

DATE	ITEMS	AMOUNT
3-3	Paper & Office Supplies	4 59
3-3	INTEREST ON LOAN TO ADVANCE EXPENSES	3 95

AUTOMOBILE EXPENSES

DATE	MILEAGE—GAS, PARKING, REPAIRS, ETC.	AMOUNT
3-2	REPAIR	25 24
3-1	GAS	5 40
3-5	GAS	4 88
3-6	BUS - fr Griffin	4 78
2-28	BUS - TO MIAMI	6 00

☐ DEDUCT FROM MY ADVANCE

☑ MAIL TO JOHN DUE / TRUST ACCT. - PETROLEUM BLDG. TALLAHASSEE, FLA

SIGNATURE John D. Due

APPROVED

COMPLYING WITH THE U.S. REVENUE ACT OF 1962, P.L.87-834.

USE WILSON JONES BINDER NUMBER 449-26 TO HOLD YOUR EXPENSE REPORTS.

No. T5203
Made in U.S.A.

PROJECTED BUDGET FOR APRIL 1965
JOHN DUE, TALLAHASSEE, FLORIDA

ITEM	
LETTERHEAD PAPER	24 -
LETTERHEAD ENVELOPES	22 50
COUNTY LICENCE	15 25
CITY LICENCE	50 -
SHELVES FOR LEGAL BOOKS	20 -
PHOTO COPIER (RENTAL)	40 -
PHOTO COPY PAPER	25 -
OFFICE RENT	80 -
TELEPHONE PLUS CALLS	100 -
SALARY-LEFAULETTE @ $25 WK	100 -
LEGAL PAPERS & FORMS	25 -
LEGAL BOOKS (FEDERAL STATUTES)	50 -
NOTARY LICENCE	25 85
BUSINESS CARDS	10 -
POSTAGE	10 -
MISC - OFFICE SUPPLIES	35 -
MAL-PRACTICE INSURANCE	35 -
TOTAL	667 60

	Initials	Date
Prepared By		
Approved By		

CORE Scholarship Education + Defense Fund, Inc.
John D. Due, Jr - Expense Report
Summary of Account - 4-30-65

	⑤	⑥	⑦
Advanced to JDD by CORE SEDF		3✓3	
		300	6✓3
Expenses paid by JDD in behalf of CORE SEDF			
Expense report - week ending ✓-✓7-65		10✓91	
〃 〃 〃 〃 3-6-65		75 84	
Disbursed by check: Capitol Office Equip.		4 59	
#10✓ Clerk to Calhoun County Court		6 -	
103 University Homes		50 -	
104 Le Ann Faucette		✓5 -	
105 A.B. Dick Prod		3✓35	
106 Capital Office Equip		67 01	
107 Check Mark Office Supplies		7 90	
1✓✓ So. Eastern Tele. Co.		144✓0	
11✓ City of Tallahassee		5✓ -	
Cash expenses - invoices submitted			
A.B. Dick Products		11 13	
Various gasoline invoices	36 87		
Less: Personal - per worksheet	9 18	✓7 69	
Post Office		1 -	
Downtown Adwe		36	
Winn-Dixie		3 87	
A.F. Fields		4 77	
Jacksons Minit Mkt		1 40	
McCrory		1 01	
Baker's Pharmacy		69	
Greyhound		5 -	
Unidentified Receipt		✓✓✓	
〃 〃		✓✓1	
McCrory		40	
J.M. Fields		✓✓7	
Bob's Bicycle Shop		5✓	
〃 〃 〃		1 03	633 77
Due to JDD			10 77

$310.77 paid 5-5-65

Prepared By
Approved By

CORE Scholarship Education + Defense Fund. Inc
John D. Due, Jr - Expense Report
5-31-65

Expenses paid in behalf of CORE SEDF

A. John D Due, Jr- Trust Account

Date	Check #	Payee	Amount	Comment
4-1-65	114	University Homes	$ 30 -	Rent
-5	6	Roy E. Letti, Tax Collector	7 75	County License
-5	7	City of Tallahassee	50	Copy- Building Code
-6	9	City of Tallahassee	25 -	City License
-7	120	Bob's Bicycle Shop	2 06	Desk key
-9	2	Kinnebrow Motors	3 09	Le Ann- Auto Repair
-13	4	Le Ann Faucette	25 -	Salary
-17	6	Stuart Wechsler	6 35	Transportation to Atlanta
-26	8	Jack Levins Suddath Moving	15 -	Furniture Cartage
-30	131	Postmaster	5 -	Postage
	✓	Sidney Daniels	15 -	Travel

B. CORE SEDF Account

Date	Check #	Payee	Amount	Comment
5-10	129	Cash	~~30~~ 9 20 39 20	Salary Le Ann Postage + Petty Cash Balance of check, $35.27, was for auto expense- and is not reimbursable
-11	130	RoMac Lumber Co	37 10	Lumber for book cases- Should CORE pay this in full?
	1	Postmaster	5 -	Postage
-12	2	Tom Adams, Secy. of State	10 50	Legal Expense
-17	4	Mason's	23 44	Office Furniture- Should CORE pay this in full?
-18	6	Legal Diary Publishing Co.	10 85	Law Diary + Manual
-21	7	Clerk, U.S. District Court	15 -	Filing Fee
	8	U.S. Marshall	175 -	" "
✓	9	Postmaster	10 -	Postage
-24	140	Althea Mitchell ?	25 -	Secretarial Services- ?
-28	1	S.T. Tanner	80 -	Rent- May
-29	2	Althea Mitchell ?	25 -	Secretarial- Does this indicate 2 secretaries in Florida?- See ck# 140
-31	3	Le Ann Faucette	6 70	Telephone, Literature
6-✓	✓	Bank Charge	1 54	
			569 08	
			~~599 08~~	

2

	Initials	Date
Prepared By		
Approved By		

CORE Scholarship Education + Defense Fund Inc
John D Due, Jr - Expense Report

① ② ③ ④ ⑤ ⑥ ⑦

Checks not included in Reimbursement

Date	Check #	Payee	Amount	Comment
		A. John D Due Jr trust Account		
4-2-65	115	Le Ann Faucette	50 –	Reimbursements will be made by CORE SEDF only for specific expenses
	118	No Record of Check		
-8	121	Woolworths	143	No explanation submitted
-13	125	Mrs Patricia Due	100 –	Due - personal
-24	127	Lewis State Bank	10614	Personal Transfer of Funds
-26	129	Patricia Due	2415	For transportation to Miami - no reason given why CORE SEDF should pay
-29	130	John D Due, Jr	2991	(See comment CK # 115)
		B CORE SEDF Account		
5-6	128	John D. Due Jr	5 –	Auto Expense
	133	Void	–	
-18	135	Bill's Pure Oil Station	2769	Auto Expense
6-2	144	Lewis State Bank	100 –	Personal
			44432	

PHONES
OFFICE 773-1757
HOME 773-8790

P. O. BOX 836

LAW OFFICES
ERNEST A. FINNEY, JR.
16½ WEST LIBERTY STREET
SUMTER, S. C.

August 19, 1965

Mr. Carl Rachlin
Attorney at Law
Congress of Racial Equality
38 Park Row
New York 38, New York

Re: Walter Robinson

Dear Carl:

Enclosed herewith please find statement of expenses in the above entitled matter.

(1)	One (1) day for trial	$75.00
(2)	One (1) day Preparation & Notice of Appeal	50.00
(3)	Travel 136 miles @ 10¢ per mile	13.60
(4)	Estimated cost of record	43.00
	Total	$181.60

125
56.60

We would appreciate very much if you would expedite the handling of this matter as much as possible.

Very truly yours,

Ernest A. Finney Jr.

EAF JR:dy

cc: Mr. Richard Haley
New Orleans CORE

181.60
+ 189.36
$370.96

75
50
125

181.60
125.00
56.60
181.60

Rec'd /

PHONES
OFFICE 778-1787
HOME 778-9788

AUG 2 3 [illegible]

P. O. BOX 836

LAW OFFICES
ERNEST A. FINNEY, JR.
10½ WEST LIBERTY STREET
SUMTER, S. C.

August 19, 1965

Mr. Carl Rachlin
Attorney at Law
Congress of Racial Equality
38 Park Row
New York 38, New York

Re: Terry Grundy

Dear Carl:

We would like to submit the following statement of expenses in the above entitled matter:

(1) One (1) day for trial	$75.00
(2) One (1) day Preparation & Notice of Appeal	50.00
(3) Travel 42 miles @ $.10 per mile	4.20
(4) Estimated cost of record	37.50
(5) Pictures of automobile (statement enclosed)	22.66
Total	$189.36

125 fee

We would appreciate very much if you would expedite the handling of this matter as much as possible.

Very truly yours,

Ernest

Ernest A. Finney Jr.

EAF JR:dy
Encl.

cc: Mr. Richard Haley
New Orleans CORE

189.36
125.00
64.36
15 -
.36

RECEIVED

SEP 13 1965

CORE SEDF

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

O.K. - pay bill

September 10, 1965

Mr. Marvin Rich
CORE Scholarship, Education & Defense Fund, Inc.
150 Nassau Street, Room 1312
New York, New York 10038

Dear Mr. Rich:

This will acknowledge receipt of your letter of September 3, 1965, concerning trials and litigation involving Walter Robinson and Terry Grundy. Both of these matters were taken up with the Southeastern Regiohal Office of CORE and the General Council before we entered litigation.

As to the Walter Robinson trial, Walter was working in Voter Registration in St. George, South Carolina, in Dorchester County. When he was arrested and placed under a $100.00 bond for disorderly conduct. It was alleged that Robinson used profane and abusive language to a police office of the town of St. George. At the trial before the Recorder Robinson was found guilty and sentence to pay $100.00 or serve ten days. After consultation with Rachlin and Haley a notice of intention was filed and is still pending.

Walter Robinson is the son of Frank Robinson and was at the time of his arrest working in Dorchester County on the Voter Registration Project.

As to the matter of of Terry Grundy ~~either~~ he was the CORE worker from California who was arrested in Summerton, South Carolina which is in Clarendon County. At the time he was in Clarendon County working with Voter Registration and he and several companions sought service at a public Restaurant. The owner of the Restaurant became angry and proceeded to inflict bodily injury on Grundy and property damage on the automobile in which they were riding. The owner then took out a warrant charging disorderly conduct alleging that Grundy used profane and abusive language to her. At the trial Grundy was found guilty and sentenced to pay a fine of $100.00 or serve thirty days. A notice of intention was filed and is still pending.

We hope that this information is sufficient in clearing up any questions in concerning this matter.

Very truly yours,

Ernest A Finney Jr

Ernest A. Finney, Jr.

EAF JR:jvl

cc: Mr. Carl Rachlin
Attorney at Law
Congress of Racial Equality
38 Park Row
New York 38, New York

September 22, 1965

Mr. Ernest A. Finney, Jr.
Finney & Gray
1[illegible] 1/2 W. Liberty Street
Sumter, South Carolina 29151

Dear Mr. Finney:

Enclosed is a check in the amount of $370.96 covering the various fees in the following cases, per your statement dated August 19:

Walter Robinson	$ 181.60
Terry Grundy	189.36

Sincerely,

Hope Maynard
for Marvin Rich

/hm
Enclosure

PHONES
OFFICE 775-1737
HOME 773-9738

P. O. BOX ~~902~~ 836

LAW OFFICES
ERNEST A. FINNEY, JR.
16 1-2 W. LIBERTY STREET
SUMTER, S. C.

December 9, 1965

RECEIVED
DEC 13 1965
CORE SEDF

OK
M.R.

COPY

Mr. Carl Rachlin
Valdeck & Elias
Attorneys at Law
280 Broadway
New York 7, New York

Dear Mr. Rachlin:

This is to advise that this office represented nineteen young people charge with the offense of disturbing a school attended by girls in the Magistrate's Court of Dorchester County on Monday December 6, 1965. In connection with this matter we would like to submit the following statement. On Wednesday, December 1, approximately forty pupils of the Williams Memorial School began picketing the school. They picketed on the school ground for approximately fifteen minutes on the direction of the sheriff of Dorchester County they stopped picketing on the school grounds and entered the public street in front of the school and resumed their picketing they stayed in the streets for approximately two hours and of their own accord stopped picketing. On the next day seventeen of these people were arrested on the charge mentioned above. Their arrest were based upon warrant signed by the Superintendent of Dorchester County School District No. 2 having received the individuals name from the principal of the school. As a result of the trial sixteen of these people were found guilty as charged and were sentence to pay a fine of $100.00 or serve thirty days.

During the course of the trial we made the usual motions to protect the rights of these pupils under the Constitution of the United States and of South Carolina. Also, we raised the question of legislative intent under the statute of which they were charged. The charge had been inacted in 1919, and being apparent designed to prevent boys from loitering around an all girl school.

The following is a statement of expenses:

1. Two days for conference with clients and preparation for trial $150.00.

2. One day preparation of Notice of Intention to Appeal and Exception $100.00.

exp. 3. Travel three trips to St. George 372 miles .10 per mile $37.20.

Mr. Carl Rachlin
Page 2

December 9, 1965

4. Estimate cost of record $32.50

5. One day for trial $100.00

Total------$419.70

p/o Ck# 263

You will be reciveing a copy of the Notice of Intention to Appeal and exceptions within 4 days. You will note that there were 2 [redacted] lawyers involed in this matter. We would appreciate very much any thing you can do to expedite the handling of this matter.

Very truly yours,

Ernest A. Finney, Jr.

cc: Marvin Rich

PHONES
OFFICE 775-1737
HOME 773-9738

P. O. BOX ~~802~~ 836

LAW OFFICES
ERNEST A. FINNEY, JR.
16 1-2 W. LIBERTY STREET
SUMTER, S. C.

Rec'd 12/16/65

December 14, 1965

COPY

To: Mr. Carl Rachlin

From: Finney & Gray Attorneys Subject: Fees and Expenses

1. One trip to St. George to serve signatures of verified petition. 134 miles at .10 per mile. $13.40.

2. One trip to Orangeburg, Service of Solicitor 108 miles at .10 per mile. $10.80.

3. One trip to Columbia, to file copies of Removal Action with the Clerk of Court of the U. S. District Court. 88 miles at .10 per mile. $8.80.

4. One trip to St. George, for purpose of filing Motions, Davidman case, perfecting bond in the case of sixteen students and file Notice of Wechsler's case. 134 miles at .10 a mile. $13.40.

5. One trip to St. George, to secure statements from David and Lee. 134 miles at .10 per mile. $13.40.

6. Telephone calls in connection with these matters $25.60.

7. Attorneys fees, two lawyers working five days at $100.00 per day, $500.00.

8. Consultation fee, Attorney Matthew J. Perry $100.00.

Total of Fees and Expenses ---------------------$685.40.

Respectfully Submitted,

Ernest A. Finney, Jr.

p/o Ck# 263-
12/17/65

P. S. We have previously sent a bill in connection with the school children we are now being pressed for payment. We would appreciate very much if you would try to get this out on Thursday of this week.

cc: Marvin Rich

December 17, 1965

Mr. Ernest A. Finney, Jr.
16 1/2 W. Liberty Street
Sumter, South Carolina

Dear Mr. Finney:

We have enclosed our check for $1,105.10 covering fees and expenses as detailed in your letters of December 9 and 14.

We would appreciate receiving the original bills or copies of them for our records.

Thank you.

Sincerely,

Hope Maynard
for
Marvin Rich

/hm
Enclosure

PHONES
OFFICE 775-1737
HOME 773-9738

P. O. BOX ~~662~~ 836

LAW OFFICES
ERNEST A. FINNEY, JR.
16 1-2 W. LIBERTY STREET
SUMTER, S. C.

January 18, 1966

RECEIVED
JAN 21 1966
CORE SEDF

COPY

To: Carl Rachlin

From: Finney and Gray, Attorneys Subject: Davidman and Lee expenses

We would like to submit the following expenses in the Davidman and Lee cases.

1. December 16, 1965, one trip to Greenwood, South Carolina, to discuss Motion for Removal and to secure bond reduction at this hearing. Judge reduced from $5,000.00 to $1,000.00 each. One day two lawyers--~~$200.00~~. 150

2. 222 miles from Sumter to Greenwood round trip at .10 per mile.--- 22.20.

3. January 6, 1966, trip to Charleston to argue Motion for Removal one day two lawyers__________________________ ~~200.00~~ 150

4. 192 miles from Sumter to Charleston round trip at .10 per mile.--- 19.20

5. Preparation of argument and appellant brief, copy already sent to your office-----------------------------------350.00

Total---------------------------------------$791.40

I hope that you had an opportunity to read the brief and it meets with your approval.

Yours very truly,

Ernest

Ernest A. Finney, Jr.

jvl

cc: Marvin Rich

ck# 497
2/1/66

exp
fee

22
369.20
300

369.20
22.20
391.40

LAW OFFICES
ERNEST A. FINNEY, JR.
16 1-2 W. LIBERTY STREET
SUMTER, S. C.

COPY

To: Carl Rachlin
Date: January 18, 1966

From: Finney and Gray, Attorneys
Subject: Sherman Henry

During the first week in February we anticipate going to trial. We have made two trips already to Kingstree, viewing the scene and discussing the matter with witnesses. Thursday we are scheduled to go for an inquest, we have also perfected bond at the time of release.

Under the Statute of this State for reckless homicide, Sherman Henry could receive a fine of not less than $1,000.00 nor more than $5.000.00 or imprisonment for not more than five years or both, Section 46-341, Code of Laws of South Carolina, 1962.

As you are probably very well aware it is most difficult this early in the case to establish an accurate estimate of the fee, normally however, under the rules of our practice we require a $500.00 retainer. This may be sufficient to take care of the entire matter, we will be in touch with you as soon as we get some definite information.

Yours very truly,

Ernest

Ernest A. Finney, Jr.

jvl

cc: Marvin Rich

January 26, 1966

Ernest Finney, Esq.
16½ West Liberty Street
Sumpter, South Carolina

Dear Ernest:

Thank you for your letter of the 18th and the details of your bill. I am a little concerned about some of the items. I hope you can reconsider them.

For example, I do not think we should be charged for two people attending court on motions. I also understand the Inc. fund rarely gives $100.00 per day. As you know, we are not in their class financially. I hope we can cut the daily rate down to what I am sure you will agree is fair,such as seventy-five dollars per diem.

If this were a pure commercial matter I would agree about your charges, but you know our financial status and I ask you to accept $75.00 per day and one person in court on motions. So please reconsider items #1 and #3 and #5 in that light.

I am sure that you will understand this is done with no lack of high regard for you and the work you have done.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: Messrs. McKissick, McCain, Rich /

January 31, 1966

Ernest Finney, Esq.
16½ West Liberty Street
Sumter, South Carolina

Dear Ernest:

Thank you for your correspondence keeping me advised of all the things you are doing. It is very important for us to know that since we do not have any staff whose job it is solely to keep in touch with lawyers who represent us in the field.

Marvin and I have been discussing the matter and we unhappily have come to the conclusion that we cannot ask you to represent the young man involved in the accident case. This would be outside the scope of the SEDF authority and conceivably could endanger their tax exempt status, Since in no way has this case anything to do with civil rights or civil liberties. I am sending a copy of this letter to Jim McCain.

By the way we are heavily involved in preparing a legal conference and of course we will send you the final details as they develop within the next few days. We certainly want you to be present.

With best regards,

Sincerely,

CARL RACHLIN
Legal Director

CR/cs

cc: Jim McCain, Marvin Rich

February 2, 1966

Mr. Ernest A. Finney, Jr.
16 1/2 W. Liberty Street
Sumter, South Carolina

Dear Ernest:

Enclosed is our check in the amount of $691.40 covering your bill dated January 16, as modified.

Please keep us informed as these cases develop.

We are most grateful for your consideration.

Sincerely,

Marvin Rich
Executive Director

MR:hm
Enclosure

cc: Carl Rachlin, Esq.

Dear Carl:

I think we should clarify the number of lawyers who we will allow in the future. I do not want to disallow this for the past practice, but I think we should require only one lawyer to be used on motions, and two for trial. But you should write and let Finney know what we will allow.

Please let me know.

Marv

PHONES
OFFICE 775-1737
HOME 773-9738

P. O. BOX ~~602~~ 836

LAW OFFICES
ERNEST A. FINNEY, JR.
16 1-2 W. LIBERTY STREET
SUMTER, S. C.

April 9, 1966

RECEIVED
APR 11 1966
CORE SEDF

COPY

Mr. Carl Rachlin
Attorney at Law
165 W. 46th Street
New York, New York 10036

Re: State v. Nathaniel Lee and Leonard Davidman

Dear Mr. Rachlin:

I am enclosing herein a copy of the letter which I received from C. T. Goolsby, Assistant Attorney General for the State of South Carolina, which indicates that the State will not appeal the Judge's quashing in the above entitled matter. I am very pleased with the outcome of the Trial and I am sure that CORE is satisfy.

The young men involved seem to have been very happy and they indicated at that time they were going to confer with you. As you are probably aware the indictments were quash by the Judge at the Trial. We are taking the liberty of sending a copy of this letter to Mr. R. J. Palmer, who stood bond for the young men.

Thank you very much for your consideration and cooperation.

Yours very truly,

Ernest A. Finney Jr.

Ernest A. Finney, Jr.

EAF Jr:jvl

Enclosures: Copy letter
Expense Statement

cc: Mr. R. J. Palmer
Mr. Marvin Rich

COPY COPY COPY COPY

STATE OF SOUTH CAROLINA
OFFICE OF THE ATTORNEY GENERAL
Columbia, S. C. 29202

April 8, 1966

Honorable William L. Rhodes, Jr.
Circuit Judge
Hampton, South Carolina

Re: State v. Nathaniel Lee and Leonard Davidman

Dear Judge Rhodes:

This letter is to confirm our conversation of this date during which I disclosed that the State will not appeal your action in quashing the indictment relating to the above-entitled criminal case. It will not be necessary, therefore, for you to prepare a formal order.

With kindest personal regards,

Sincerely,

C. T. Goolsby, Jr.
Assistant Attorney General

CTG/djd

CC: Honorable Carl Knight
Sheriff, Dorchester County

Honorable Julian S. Wolfe
Solicitor, First Judicial Circuit

Ernest A. Finney, Jr., Esq.
Attorney at Law

COPY

To: CORE, Scholarship, Education and Defense Fund, Inc.   April 9, 1966

From: Finney and Gray Attorneys

Subject: Expense Statement
State v. Nathaniel
Lee and Leonard
Davidman

1. Preliminary hearing March 7, 1966, St. George, South Carolina $100.00
2. Preparation and Investigation of Jury panel $100.00
3. Preparation of Brief, Motions, and for Trial $200.00
4. Two days in Dorchester County, two lawyers $75.00 per day $300.00
5. Five trips to Dorchester County 140 miles each trip at .10 per mile $70.00.

Total-------------------------------------- $770.00

Ck #281
4/25/66

Respectfully Submitted,

Ernest Finney, Jr.

Ernest A. Finney, Jr.

have we not paid some of this?

fees - 700
exp. 70.

April 22, 1966

Mr. Ernest A. Finney, Jr.
16 1/2 W. Liberty Street
Sumter, South Carolina

Dear Mr. Finney:

Enclosed is our check in the amount of $770 covering expenses re State v. Nathaniel Lee and Leonard Davidman as outlined in your letter of April 9, 1966.

Sincerely,

Hope Maynard
for
Marvin Rich

/hm
Enclosure

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1797

April 25, 1966

Mr. Marvin Rich
Core Scholarship, Education and
Defense Fund, Inc.
150 Nassau Street
New York, New York 10038

Re: The State vs. Nathaniel Lee and
Leonard Davidman Expenses

Dear Mr. Rich:

Enclosed you will please find a receipt in the amount of Seven Hundred and Seventy ($770.00) dollars, for the above named account.

Thank you very much for your consideration and cooperation.

Yours very truly,

Ernest A. Finney Jr.

Ernest A. Finney, Jr.

EAF Jr:jvl

Enc.

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1787

RECEIVED
MAY 21 1966
CORE SEDF

May 19, 1966

Core Scholarship, Education & Defense
Fund, Inc.
150 Nassau Street
New York, New York 10038

Re: Expenses

Gentlemen:

The following itemized statement of expenses incurred by yours truly in attending the recent Legal Conference:

1. Round trip Air Travel from Columbia Airport to Kennedy Airport -- $88.43
2. Transportation from Sumter to Columbia round trip-10.00
3. Taxi fare from Airport to Hotel and from Hotel to Airport -- 10.00

Total ---108.43

Please mail check at your earliest convenience.

Respectfully submitted,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF Jr:jvl

Ck # 417
5/24/66

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

October 18, 1966

Mr. Carl Rachlin
165 West 46th Street
New York, N. Y. 10036

Re: State vs. Sherman Henry

Dear Carl:

The thirty days in which to effect the appeal will be up on the above-entitled matter on the 24th of October. As of this date, we have not heard from anybody relative to the counsel's fee or the appellate bond, not to mention the cost of the transcript which we have ordered. I would be deeply grateful if somebody, somewhere, would give me some final advice on this matter.

I would appreciate your cooperation in this connection greatly.

Yours very truly,

FINNEY & GRAY, ATTORNEYS

Ernest A. Finney

EAF Jr:dmm

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

September 28, 1966

Atty. Carl Rachlin
165 West 46th Street
New York, New York 10036

Re: Sherman Henry

Dear Carl:

As I told you over the telephone it appears that Sherman Henry, from a legal point of view, will be the first loser we have ever had in the State of South Carolina. As you will recall, Henry was originally charged with manslaughter for which the sentence could have been twenty years. We finally got the indictment reduced to reckless homicide or involuntary manslaughter; the sentence for reckless homicide, five years, for involuntary manslaughter, three years.

At the outset of the trial we made the normal motion to quash the indictment. However, I do not feel that it had much merit as fifthteen of the thirty-six jurors were Negroes. The Jury as finally selected contained four Negroes, who were highly recommended by the Williamsburg Civic League.

The only evidence to sustain this conviction appears to be the testimony of the driver of the car, who indicated that the car was approaching at a rapid rate of speed and started to pass another car, then got behind the other car. And the fact that at the point of impact the car driven by Sherman Henry was in the wrong lane of traffic. The Negro members of the Jury apparently, from conversations after the trial, agreed to a compromise. Namely, agreeing to involuntary manslaughter rather than reckless homicide. There was some feeling that the word 'involuntary' gave them some problems. Their interpretation apparently being that 'involuntary' meant that the boy had no control and they felt that the sentence would not be imposed for an involuntary act.

The Judge originally sentenced Henry to a term of three years, suspended upon the service of fifthteen months. At a later conference, the sentence was reduced to fifthteen month, which would mean that Henry would be required to serve only five months. I do not know what your thinking is concerning this matter, but I will appreciate your comments.

Yours very truly,

Finney Jr

Ernest A. Finney, Jr.

EAF Jr:dmm

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

803

December 5, 1966

Attorney Carl Rachlin
165 West 46th Street
New York, New York 10036

Re: Sherman Henry

Dear Carl:

Following our discussion on Friday down in Beaufort, I assume that we are going to proceed along the following lines:

1. The criminal appeal in the Sherman Henry matter will be ended, this office will attempt to delay the execution of sentence until Henry has completed this semester in school, SEDF will renew Henry's scholarship after completion of the sentence. In connection with this item, we feel that the fellows in New Orleans should contact Henry, who is a student at Gramlin College, and advise us concerning his attitude and, further, whether or not this course of action will interfere with his admission to the Bar.

2. This office will continue to represent the Congress of Racial Equality in the $600,000.00 civil suits.

3. This office will represent Sherman Henry in the $600,000.00 civil suits now pending. We would like your thinking on whether or not if this firm represents both Sherman Henry and CORE, there could be any conclusions drawn which would establish agency. I do not believe so, however, I want your thinking on this matter.

Based upon these conclusions, we would request that SEDF immediately forward us a check in the amount of $1,000.00, which in reality would represent the payment of the bond posted for Sherman Henry in the amount of $300.00 and the attorney's fees and cost for representation at the inquest, trial, and the perfecting of the appeal. I would suggest, however, that this check reflect on SEDF books as a retainer in the civil suits. I hope that this meets with your approval and can be handled as expeditiously as possible.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

cc: Mr. Andrew E. Norman
President, SEDF

Mr. Marvin Rich
Executive Director, SEDF

Scholarship, Education and
Defense For Racial Equality
150 Nassau Street
New York, New York 10038

Mr. Floyd McKissik
38 Park Row
New York, New York

P. S. Sherman Henry's address is: Post Office Box 898
Grambling College
Grambling, Louisana

December 21, 1966

Mr. Ernest A. Finney, Jr.
Finney and Gray
16½ West Liberty Street
Sumter, S. C.
29151

Dear Ernest:

Enclosed is your check for $1,000 representing your fee and expenses in the litigation growing out of the accident involving Sherman Henry. I do want to express again to you my belief that you have done amazingly well so far in these cases. I hope that you continue to be successful.

I am glad to see the EEOC complaints on Cambell Soup. I think we can do a good job with these.

Cordially,

ha

Marvin Rich,
Executive Director

MR:ha

Enc.

December 6, 1966

Ernest A. Finney, Jr., Esq.
Finney and Gray
16½ West Liberty Street
Sumter, South Carolina 29151

Dear Ernest:

It was godd fun seeing you the other day and participating with you on a couple of the panels that Ronnie Moore set up. I am also very pleased that we were able to discuss with Marvin and Andy the Sherman Henry matter, together with the involvement of CORE as a defendant in the civil suit. I wish you would give some further thought to making a motion on behalf of CORE to see if the court would dismiss against them.

While it is true that Bronstein was successful in a similar application in the federal court and you are in the state court, I am not clear why this makes a difference on the question of whether or not Sherman Henry was at the time of the accident acting for CORE or, as they said in my old course of tortes, whether he was acting on a "frolic of his own". I of course do not know South Carolina procedures and of course further understand that if there are any factual questions open the court will leave them for the jury to decide. But isn't the question here whether or not there is a factual question open? If you make a strong motion saying that there is no factual question, under your procedures can they merely say there is one without submitting any proof that might be acceptable to the jury? After all, it seems to me there ought to be a question of law that at the time of this accident Henry was not an agent of CORE, nor was even the car a CORE car, or under the control of CORE. This was exactly the point on which Bronstein was able to persuade Judge Harold Cox successfully. I doubt that any of your South Carolina judges are less friendly to CORE than Harold Cox. My inclination is to make the motion. If we lose, the only basis upon which we can lose is on the question of whether the issue should go to the jury., and not on the merits. In addition, we may also be able to smoke them out on what, if anything, they have as to the agency question.

Abviously you must make the decision. Clearly, if the case goes to the jury we will lose, insofar as CORE is concerned, regardless of the facts. Maybe we can set the posture of the motion and their response to it in such a way that we can appeal a bad decision, if we get one, on the motion to the higher courts. If you would like, give us thesstatetory references as well as any reference to the rules of your courts, and I will have one of your students prepate a memorandum.

In any event, I look forward to hearing from you soon, and even more to seeing you.

With warm personal regards,

Sincerely,

Carl Rachlin
General Counsel

CR:ns

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

March 13, 1967

Mr. Carl Rachlin
Chief Counsel
Scholarship, Education and
Defense Fund
150 Nassau Street
New York, New York

Dear Mr. Rachlin:

Re: Campbell Soup Co.
(Sumter Plant), Inc.

Enclosed please find photostatic copies of the pleadings, which were this morning filed in United States District Court.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

Enclosure

March 17, 1967

COPY

Mr. Carl Rachlin
Scholarship, Education And Defense Fund
150 Nassau Street
New York, New York

Dear Mr. Rachlin:

Re: Campbell Soup Company
(Sumter Plant), Inc.

The following is the bill of this office in the above-entitled matter up through March 13, 1967.

1.	Three days in conferences with clients @ $75.00 per day	$225.00
2.	Two days in Atlanta, Georgia, going over files with EEOC @ $75.00 per day	150.00
3.	Two days in Washington for conferences with OFCC and EEOC @ $75.00 per day	150.00
4.	One day in New York, conference with Atty. Carl Rachlin	75.00
5.	Two days in preparation of pleadings	150.00

Items Of Expense

6.	Two trips to Atlanta, Georgia, at $36.00 each	72.00
7.	One trip to Washington, D. C.	68.00
8.	One trip to New York	104.84
9.	Four trips to Columbia, S. C. 480 mi. at 10¢ per mi.	48.00
10.	Recording Fee	15.00
11.	Cost of making additional copies	19.60

Total		$1,077.44
Less:		
Paid on Account	$250.00	
Balance Due		$ 827.44

We would appreciate very much your sending us this amount as soon as possible.

Yours very truly,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF JR:dmm

cc: Mr. Marvin Rich
Leadership Development Director

COPY

Pd
1/5/67
Check No. 1638

STATEMENT

(Bill submitted March 17, 1967, for $827.44. Paid in full May 1, 1967. Statement submitted April 15, 1967, was for the full amount with a balance due of $958.44 on which the $827.44 would apply, leaving an unpaid balance of $131.00.)

COPY

Statement From April 15, 1967, To June 12, 1967

Legal Fees

1.	Balance Due	$131.00
2.	Seven days in conferences with clients and working on interrogatories @ $75 per da.	525.00
3.	Conferences with State Development Board (Columbia) (April.17)...........	50.00
4.	Conference with Governor Robert McNair April 25.(Columbia)....................	50.00
5.	Conferences with EEOC (two days) May 10,11 Atlanta, Ga. @.$75.per.da....	150.00
6.	Conference with State Development Board and Technical Education Comm.... (May 12)	50.00
7.	Conferences in New York (two days) May 21, 22 ..@.$75.per.da............	150.00
8.	Conference with Campbell Soup Co. June 1	50.00
9.	Conference with EEOC (Augusta, Ga.) ..	50.00
	Total	$1,075.00

Expenses

1.	One trip to New York	$114.84
2.	Hotel and food (2.nights)...........	45.00
3.	One trip to Atlanta, Ga.	39.75
4.	Hotel and food (one night)	28.00
5.	One trip to Augusta, Ga. .... 258 mi. @ 10¢ per mi..................	25.80

6. Hotel and food (one night)	$ 25.00		
7. Two trips to Columbia (200 mi. @ 10¢ per mi.	20.00		
8. Extra secretarial help for preparation of answers to interrogatories	50.00		
Total		$348.39	
TOTAL			$1,423.39

COPY

We regret very much that we were too busy during May to get out a bill for this.

Respectfully submitted,

Ernest A. Finney, Jr.

March 28, 1967

Ernest Finney, Esq.
16½ W. Liberty Street
Sumter, South Carolina

Dear Ernest:

Do we have a date on the negligence case against CORE; I would like to put it down in my calendar to make certain that there are no conflicts since I am anxious to be with you at that time.

We have sent for the Wonderlic test, I hope to receive it very soon, I will send you a copy when I get it and I will also keep you advised on our end, what analysis we are getting of the test.

If you get a chance, why don't you send us copies of the stories that may have been filed in the Sumter papers about our case. I am sure Marvin would like to have them for his records.

Please give my best regards to your partner and my warm feelings to your wonderful family, tell them I hope to see them very soon .

Cordially,

Carl Rachlin
General Counsel

CR:n

May 1, 1967

Mr. Ernest Finney, Jr.
Finney and Gray
16½ West Liberty Street
Sumter, South Carolina 29151

Dear Mr. Finney:

Enclosed please find check No. 1638 in the amount of $827.44.

Sincerely yours,

(Mrs.) Florence L. Pilgrim
for
Marvin Rich

Enclosure:

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

May 3, 1967

Mr. Marvin Rich
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Kingwood, et al. v.
Campbell Soup Co., et al.

Dear Mr. Rich:

This will acknowledge receipt of your letter and your check in the amount of $827.44; thank you very much. You will note that this leaves a balance due through April 15, 1967, on this account of $131.00. We will include this amount in the bill which we will send you on May 15.

Again, thank you very much for this much-needed assistance.

Yours very truly,

Ernest

Ernest A. Finney, Jr.

EAF Jr:dmm

cc: Mr. Carl Rachlin

RECEIVED

MAY 5 19

SEDF

CAMPBELL SOUP COMPANY
Camden, New Jersey 08101

William E. Harwick
Vice President - Personnel

June 7, 1967

Mr. Donald L. Hollowell
Regional Director
Atlanta Regional Office
Equal Employment Opportunity Commission
1776 Peachtree Street, N. W.
Atlanta, Georgia 30309

Dear Mr. Hollowell:

Thank you for your letter of June fifth.

Please let me expand on the comments in my previous letter concerning why Mr. Calder and I were disappointed with the results of the New York meeting.

We felt, because of the impending lawsuit against the Company, that the discussions in New York would be off the record and exploratory to see whether there could be some accommodation of the viewpoints of all parties. We felt that while there was a friendly exchange the difficult problems separating the parties were sidestepped. We felt that Mr. Rachlin injected some difficult problems which had not existed before.

Nevertheless, for your information, we did meet with Mr. Finney in South Carolina and, I am sorry to report, there has been no solution to this problem. As of this writing it appears that the litigation may go forward and, under these circumstances, we believe that the proper course is now to devote our attention to that aspect of the problem.

We are, I assure you, grateful for your efforts to resolve the matter.

Sincerely,

WEH:md

cc: Mr. R. G. Calder, Jr.
Mr. E. A. Finney, Jr.

Campbell Soup

RECEIVED

JUN 14 1967

SEDF

June 12, 1967

Mr. Carl Rachlin
Legal Director
Scholarship, Education And
Defense Fund
150 Nassau Street
New York, New York 10038

COPY

Re: Kingwood v. Campbell Soup Co.

Dear Carl:

This will advise that the Campbell Soup Company case has taken a turn for the worst. Since our last meeting in New York, Campbell Soup Company has taken a position that indicates they want us to dismiss this lawsuit based upon their verbal assurances that they will work towards elimination of the matters which were discussed in our New York conference. The implication being that because of certain things which were said in New York, the matter can no longer be settled.

It has, therefore, become my responsibility to answer the interrogatories which were filed. This meant that more than seventy legal pages of typewritten material had to be sent in to the Court on yesterday. This also means that we now have until the end of this week to submit to the Court our interrogatories to the defendants. As you are probably well aware, I have not received any concrete proposals for the interrogatories or the answers to the interrogatories, and I am doing the best I can by my damn self.

In conjunction with this I am enclosing two letters; one from Mr. Harwick and one from Mr. Hollowell, which I believe are self-explanatory.

As you are also probably well aware, the expenses have been increasing tremendously. I am enclosing herein a statement of expenses to date, which I hope you will be able to do something about immediately.

Yours very truly,

Ernest A. Finney, Jr.

cc: Mr. Marvin Rich

EAF Jr:dmm

Enclosures

Recvd 8/7/67

$500

COPY

August 3, 1967

Mr. Carl Rachlin
Legal Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Idell D. Kingwood, et al.
versus
Campbell Soup Company, Inc.
et al.

Dear Carl:

On June 12, we submitted a bill for expenses and fees in the Campbell Soup Case in the amount of $1,423.39. As of this date we have heard nothing from this bill. As you will recall, I had anticipated going to Houston last week, but because of the low state of my finances, I was unable to go.

I am enclosing herein a statement of expenses from June 12 through August 1. It is my sincere hope that some arrangements can be made immediately to take care of these bills.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

Enclosure

cc: Mr. Marvin Rich

Kenny

STATEMENT

August 3, 1967

Bill submitted June 12, 1967. (Nothing paid)......	$1,423.39

Statement From June 12, 1967, to August 3, 1967

Legal Fees

COPY

1.	June 26, Meeting with Campbell Soup Clients	25.00
2.	July 10, Campbell Soup Meeting	25.00
3.	July 17, Meeting with Campbell Soup Clients	25.00
4.	July 18, 19, 20, 21, Depositions in Campbell Soup Case	400.00

Expenses

1.	Two trips to Columbia, S. C. 230 mi. @ 10¢ per mi.	23.00
TOTAL	....	$1,921.39
		1200.00
		721.39

Respectfully submitted,

Ernest A. Finney, Jr.

EAF Jr:dmm

August 9, 1967

Ernest A. Finney, Jr., Esq.
FINNEY and GRAY
16½ ~~West~~ Liberty Street
Sumter, South Carolina 29151

Dear Ernest:

Carl is away from the office right now, but I have a copy of your letter along with a bill on the Campbell Soup case. I am enclosing $500 on account. August is a very difficult month for us since we must pay out approximately $30,000 for our scholarship program.

I will try to get the balance to you as soon as possible. I know you will understand.

I hope the case is going well.

Sincerely yours,

Marvin Rich
Executive Director

Enclosure as stated
check #1974

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

RECEIVED
AUG 14 1967
SEDF

August 11, 1967

Mr. Marvin Rich
Leadership Development Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Bill, Campbell Soup Case

Dear Marv:

We wish to acknowledge receipt of your check for $500.00 on the above-mentioned account. I am deeply grateful that you have forwarded this amount. I am sure that you can appreciate the fact that a poor struggling country lawyer needs his funds, and particularly during the summer months when business is slow.

I anticipate that it is going to be necessary for Carl and I to have a conference at the end of next week when he is back in the office.

Thank you very much for your consideration and cooperation in this matter.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

Court House

Ext. 31

L. B WIMBERLY
Court Reporter
SUMTER, S. C.

September 5th, 1967.

Ernest A. Finney, Jr., Esq., Atty.,

to

L. B. Wimberly, Court Steno.

Re : Idell P. Kingwood, et al,
vs.
Campbell Soup Company, et a.,
Civil Action No. 67-167.

Two copies of depositions taken in above case July 18th through 21st ------ $ 518.70

pay

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

RECEIVED
SEP 15 1967
SEDF

September 12, 1967

Mr. Marvin Rich, Executive Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Campell Soup Case

Dear Marv:

Enclosed you will please find a copy of a bill from the Court Reporter in the Campbell Soup Matter. We would appreciate it very much if you would immediately forward him a check for this amount since he is pushing us and we do have occasion to use him in other matters.

Yours very truly,

Ernest

Ernest A. Finney, Jr.

EAF Jr:dmm

Enclosure

cc: Mr. Carl Rachlin

October 4, 1967

Ernest Finney, Esq.
16 ½ W. Liberty Street
Sumter, South Carolina

Dear Ernest:

I enclose a copy of the Memorandum of Law submitted by our lawyers in the Crown Zellerbach case. I am sure this will be very useful to us, you will note that George Cooper is one of the attorneys on the case.

As soon as you can please let me know a date for our trial at the end of October so that I can arrange my calendar accordingly.

Sincerely yours,

Carl Rachlin

CR:n

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

October 19, 1967

Mr. Carl Rachlin
Legal Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Dear Carl:

This will advise that the case Thompson v. CORE has been scheduled to come up for trial during the week of November 27.

Also, we have not yet received the Answers to the Interrogatories from the Court Reporter in New York and would appreciate very much your contacting him and getting these Answers to us in order that we may file same.

Yours very truly,

Ernest A Finney Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

RECEIVED
OCT 23 196
SEDF

October 19, 1967

Mr. Marvin Rich
Executive Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Campbell Soup Case

Dear Mr. Rich:

On August 3, 1967, we submitted to your office a bill for $1,921.39, on which you paid $500.00 on August 9 and $700.00 on September 11. This left a balance of $778.39, which was for work done and expenses incurred through August 3, 1967.

Enclosed herein you will find our statement of legal fees and expenses from August 3 through October 19. I am sure that I do not need to remind you that this office is in dire need of at least a portion of these expenses.

Yours very truly,

Ernest A Finney Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

Enc .

cc: Mr. Carl Rachlin

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

STATEMENT

Statement from August 3, 1967, Through October 19, 1967

1.	Balance carried forward	721.39 $ 778.39 721.34

Legal Fees

2.	Conference and depositions of Campbell Soup officers, September 7 & 8 @ $100.00 per da. (New York)......................	$200.00
3.	Conference with Judge and Clients Columbia, S. C. Sept. 18	100.00
4.	Arguments before Court on Defendant's motion to strike interrogatories September 22............................	100.00
	Total Legal Fees	$.400.00

Expenses

1.	Three trips to Columbia, S. C., 345 mi. @ 10¢ per mi.	$ 34.50
2.	Two days in New York, Hotel and Food @ $25.00 per da.	50.00
3.	Air transportation from New York to Columbia	46.31
	Total Expenses	$ 130.81

Pd 530.81 due

TOTAL, Balance, Legal Fees & Expenses	$1,309.20
Association and appearance fee for Attorney Matthew J. Perry ....,	100.00
TOTAL	$1,409.20

630.81

1352.20
57.00

Respectfully submitted

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

October 23, 1967

RECEIVED
OCT 25 1967
SEDF

Mr. Marvin Rich
Executive Director
Scholarship, Education, Defense Fund
150 Nassau Street
New York, New York 10038

Re: Kingwood, et al. v.
Campbell Soup, et al.

Dear Mr. Rich:

Enclosed please find copy of bill from United Reporting Service for depositions in the above-referenced case.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

Enc.

cc: Mr. Carl Rachlin

Paid $104.50
2/20/68

October 27, 1967

Mr. L. B. Wimberly
c/o Ernest A. Finney, Jr., Esq.
16½ West Liberty Street
Sumter, South Carolina 29151

Dear Mr. Wimberly:

Enclosed, please find our check in the amount of $518.70 representing payment for your services in connection with our legal activities against the Campbell Soup Company, being conducted by Attorney Finney.

My apologies for the delay in sending this payment to you, and many thanks for your patience and understanding.

Sincerely yours,

Marvin Rich
Executive Director

Enclosure: (1)
check #2239

cc: Ernest Finney
Carl Rachlin

$530.81

November 22, 1967

Ernest A. Finney, Jr., Esq.
FINNEY AND GRAY
16½ West Liberty Street
Sumter, South Carolina 29151

Dear Mr. Finney:

Reference is made to your letter of October 19th in which you indicate a total of $1200.00 was paid on your financial statement submitted August 3, 1967 totalling $1921.39. Your October 19th letter further states that the balance due on the August 3rd statement is $778.39. Our calculations indicate that the balance due on the August 3rd statement is $721.39, and a check for this amount is enclosed.

The enclosed check reduces the financial statement submitted by you for the period from 8/31/67 through 10/19/67 to $630.81. If you have any questions, please do not hesitate to contact us.

Sincerely yours,

Mrs. Jacqueline Turner
Executive Secretary

Enclosure as stated
check #2326

cc: Carl Rachlin
[redacted]

January 5, 1968

Ernest A. Finney, Jr., Esq.
FINNEY AND GRAY
16½ West Liberty Street
Sumter, South Carolina 29151

Dear Mr. Finney:

Enclosed, please find our check in the amount of $530.81 representing the balance due on your financial statement from 8/3/67 through 10/19/67.

If you have any questions, please do not hesitate to write.

Sincerely yours,

Mrs. Jacqueline Turner
Executive Secretary

Enclosure: (1)
check #2478

RECEIVED
JAN 11 1968
SEDF

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29151

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

January 9, 1968

Mrs. Jacqueline Turner
Executive Secretary
Scholarship, Education And Defense Fund
150 Nassau Street
New York, N. Y. 10038

Re: Campbell Soup Case

Dear Mrs. Turner:

This will acknowledge receipt of your letter and check for $530.81, for which we are deeply grateful.

We would refer you to your letter of November 22, 1967, in which you indicated that the balance due was $630.81; this figure agrees with out statement balance on October 19, 1967. Your check of January 5, 1968, for $530.81, would, therefore, leave a balance due on the October 19, 1967, statement of $100.00.

Thank you very much for your consideration and cooperation in this matter.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

March 21, 1968

Mr. Ernest Finney, Jr., Esq.
Finney and Gray
16½ West Liberty Street
Sumter, S.C. 29151

Dear Mr. Finney:

Enclosed, please find our check in the amount of $100.00 representing final payment on the October 19th financial statement. My sincere apologies for the delay in getting this payment to you, but we are only just now settling down into a smooth working organization since our move to newer and larger quarters.

Sincerely,

Jacqueline Turner (Mrs.)
Executive Secretary

Enclosure as stated
check #2779

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

May 2, 1968

RECEIVED
MAY 6 1968
SEDF

Mr. Marvin Rich, Executive Director
Scholarship, Education And Defense Fund
164 Madison Avenue
New York, New York 10016

Dear Mr. Rich:

We enclose copy of bill from Mr. L. B. Wimberly, Court Reporter who took the depositions in the Campbell Soup Case. Please give this matter your immediate attention.

[$272.00]

Thank you for your anticipated cooperation.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

Enc.

OK
M.R.

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

RECEIVED
MAY 6 1968
SEDF

May 3, 1968

Mr. Marvin Rich, Executive Director
Scholarship, Education And Defense Fund
164 Madison Avenue
New York, New York 10016

Dear Mr. Rich:

We enclose bill from T. Hardin Jewett, Court Reporter who took the latest depositions in the Campbell Soup Case, which we omitted to send in our letter of May 2. Please send him a check for $88.45 to take care of this account.

Thank you very much for your consideration and cooperation.

Yours very truly,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

Enc.

OK
MR

keep record

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

August 2, 1968

Mr. Carl Rachlin, Legal Director
Scholarship, Education And Defense Fund
164 Madison Avenue
New York, N. Y. 10016

Re: Thomas A. Thompson vs. Sherman A. Henry, Oneeda Dukes, and CORE

Thomas Allen Thompson, Administrator of the Est. of Doris H. Thompson vs. Sherman A. Henry, Oneeda Dukes and CORE

Thomas A. Thompson, Jr., a minor, by Guardian ad litem, Thomas A. Thompson, vs. Sherman A. Henry, Oneeda Dukes and CORE

Dear Carl:

In view of the fact that more than $600,000.00 in damages was involved the three above-referenced cases, we feel that a minimum fee of $3,000.00 would be quite reasonable.

Please let me hear from you with regard to your position on this matter.

Yours very truly,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

September 30, 1968

Mr. Carl Rachlin, Legal Director
Scholarship, Education, Defense Fund
164 Madison Avenue
New York, N. Y. 10016

Re: Campbell Soup Case

Dear Mr. Rachlin:

Please find enclosed check for $3,500.00, which I have endorsed.

This check is received in settlement of the Campbell Soup Case.

Yours very truly,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

Enc.

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

October 1, 1968

Mr. Carl Rachlin, Legal Director
Scholarship, Education, Defense Fund
164 Madison Avenue
New York, N. Y. 10016

Re: Sherman Henry Case

Dear Mr. Rachlin:

Under separate cover I have sent you a check in the settlement of the Campbell Soup Matter. I had previously sent a bill for services rendered in connection with the Sherman Henry case and have not heard anything from you concerning that bill. I felt that under the facts and circumstances of that particular case the bill was a reasonable one; and of course, we had not submitted any bill for a considerable length of time because we knew what the situation was.

I was also under the impression that if there were some questions concerning that bill or if you felt that it was unreasonable, at least I would have received some notification that you would not honor the bill or any portion thereof. I feel that it is only fair that you let me have some reaction to this bill and advise what your thinking is concerning same.

I have always attempted to work in the best interest of SEDFRE and will continue to do so; however, I would appreciate it very much if you would at least let me know what your thinking is concerning Sherman Henry.

Next week I will be sending you a final statement on the Campbell Soup matter.

Yours very truly,

Ernest A. Finney, Jr.

Ernest A. Finney, Jr.

EAF Jr:dmm

LAW OFFICES
FINNEY AND GRAY
16½ WEST LIBERTY STREET
SUMTER, S. C. 29150

ERNEST A. FINNEY, JR.
RUBEN L. GRAY

P. O. BOX 836
TELE. 775-1737

December 31, 1968

Mr. Carl Rachlin, Legal Director
Scholarship, Education, Defense Fund
164 Madison Avenue
New York, N. Y.   10016

Re: Thompson vs. CORE

Dear Mr. Rachlin:

Sometime ago we submitted to you a bill for services rendered by this office in connection with the above-entitled matter. Since that time we have had no response. I am sure that you are aware of the fact that I am entitled to some fee for services rendered in this matter.

I am also sure of the fact that you are aware that at least your office could have indicated whether or not it was going to pay any fee at all. It is very difficult for a sole practitioner like myself to maintain his operation with an overhead unless we receive some compensation for services rendered.

Obviously it would be apparent to you that those of us out here in the field carry a large share of the burden, and many of us feel that it is unfair to have our bills ignored. I have been most concerned about this matter, and would like to have some indication as to whether or not I am going to receive any portion of this bill.

Yours very truly,

Ernest A. Finney, Jr.

EAF Jr:dmm

cc: Mr. Marvin Rich

January 22, 1969

Ernest A. Finney, Jr., Esq.
16 1/2 West Liberty Street
Sumter, South Carolina

Dear Ernest:

I am sorry this has been so long delayed. There was some confusion at this end.

Sincerely,

Marvin Rich
Executive Director

Enclosure: (1)
check #4047

SEDFRE April 2, 1968

Dictated by Mr. Ernest Finney and Secretary over telephone

Question - by Ernest Finney

Have you, since you read the Equal Employment Opportunities Guidelines, done anything to implement or supplement the administration of the Wonderlic in the Sumter Plant?

Answer - by William A. Harwick

We made a decision this week completely unrelated to the Guideline. I ~~do~~ did not even take them into consideration, but we made a decision and implemented it this week that we would no longer use the Wonderlic Test in the Sumter Plant for employing into entry level jobs at levels 1, 2, and 3. We made a decision that, for all applications on file, we would excise the Wonderlic scores. We made a decision that we would no longer automatically exclude people from further consideration who had not acquired eighth grade education; and this decision was made from an employee-relations personnel point of view, unrelated to everything else, because the situation has changed. The decision about eighth grade and the Wonderlic cut-off was a decision which I made, I believe correctly, at the time that we were starting the plant up. Those two devices are no longer necessary, we can do the job without them, but there has been no change in the job standards or the job qualifications that we are after and we will continue to look for the best people in the labor market, available, ready, willing and able to go to work, who are the best of the candidates available, based upon education, experience, free from family problems, transportation problems, baby sitting problems, acceptance of shift work, health, attitude

Anwer by W. A. Harwick - (cont'd.)

towards cleanliness, attitude toward work, ability to work in a group, and so on and so on - references, personal references, business references, good work experience, nothing negative in the area of attitude toward the government of the United States, no problems with the person being related to an executive of the company because we will not hire those people, and so on.

That is not an exhaustive list. If you want an exhaustive list, I'd be happy to give it to you, because it's extremely important in making the decisions.

Rachlin and Carl U Smith
fyi + files

Madison, Wisc July-Aug-1967
Telephone - collect calls from Sumter, S.C.

Expenses re Campbell Soup Company

Expenses paid to-date to Ernest Finney, Esq., - Sumter, South Carolina

Dispositions taken (United Reporting Service) in Camden, New Jersey September 7, 1967	$ 104.50	
Expense statement submitted by Att. Finney (8/3/67-10/19/67)	1409.20	
Out of pocket expenses Att. Finney 7/20/67 (dinner for Campbell Soup clients)	56.91	
Expenses paid to L.B. Wimberly (court reporter) 10/27/67	518.70	
Partial payment on financial statement by Att. Finney (6/12/67-8/8/67)	500.00	
Balance due on financial statement submitted by Att. Finney (3/17/67)	827.44	
		$3416.75

Expenses paid to-date to and for Carl Rachlin, Esq., New York, N.Y.C.

Expenses vouchers submitted for the period covering 12/9/67-3/9/67	$ 171.19	
4 round-trip air flights to Sumter, South Carolina @ $88.20	352.80	
		$ 523.99
TOTAL EXPENSES PAID AS OF APRIL 2, 1968		$3940.74

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Again Urges End
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24 NEGROES CHARGE BIAS AT SOUP PLANT

Special to The New York Times

COLUMBIA, S. C., March 13 — Charges of employment discrimination against the Campbell Soup Company were filed today in the United States District Court by 24 Negroes. The company denied the accusation.

The complaint sought an injunction against hiring practices at the company's Sumter (S. C.) plant, where, the Negroes said, improper testing and screening were designed to insure white employment.

The complaint also charged that the company had refused employment to some Negroes who had passed screening tests and had hired some whites without testing them.

The complaint, filed under the Civil Rights Act of 1964, contended that a 60-day conciliation period had not resulted in any change in company policy.

One allegation was that the company's hiring policy was designed to prevent Negro women from leaving jobs as domestics.

A spokesman in Camden, N. J., said the company had "a long standing and firm policy providing for equal employment opportunity at its facilities."

"We are satisfied there has been no discrimination at the plant of our subsidiary in Sumter," he said. He said that 20 per cent of the Sumter plant's employes were Negro and that they worked at various skills in both the plant and the office.

Space Station Study Planned

WASHINGTON, March 13—(AP)—The National Aeronautics and Space Administration said today it was negotiating a $275,000 contract for a study of the potential economic benefits of operating a space station. Planning Research Corporation, Washington, will make the nine-month study, with the University of Michigan Willow Run Laboratories as the major subcontractor. The agency said an orbiting spacecraft could provide economic benefits in oceanography, fisheries, hydrology, farming and forestry.

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CAROLINA CONTRAST

Vol. I, No. 3 October 15, 1966 10¢

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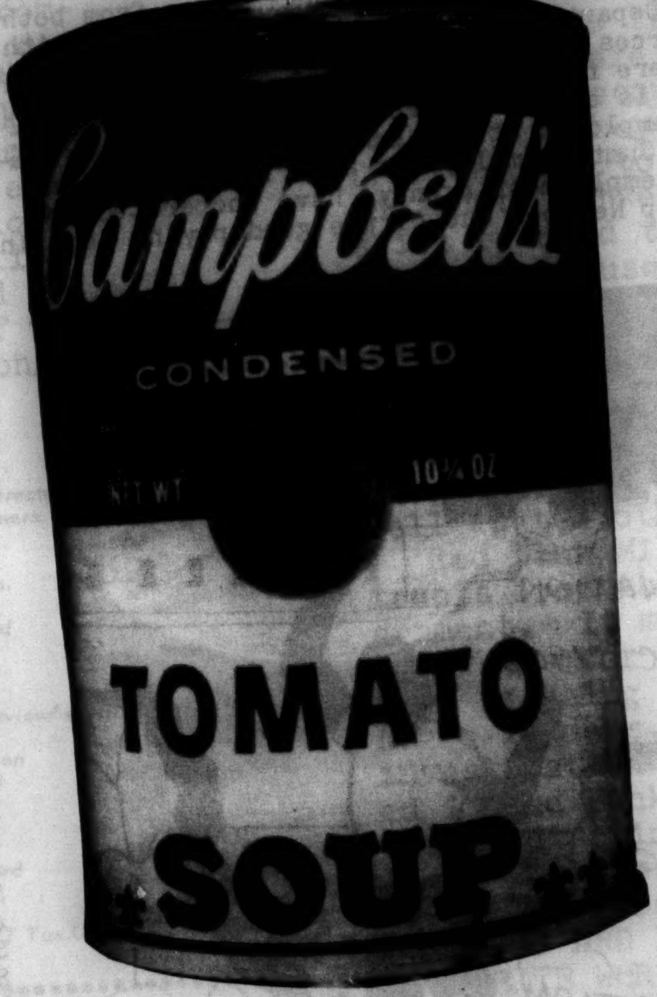

Campbell's
CONDENSED
NET WT
10¾ OZ
TOMATO
SOUP

CAMPBELL SOUP COMPANY IN SUMTER

Jobs Available: 1,600

WHITES HIRED TO DATE: 823
NEGROES HIRED TO DATE: 177

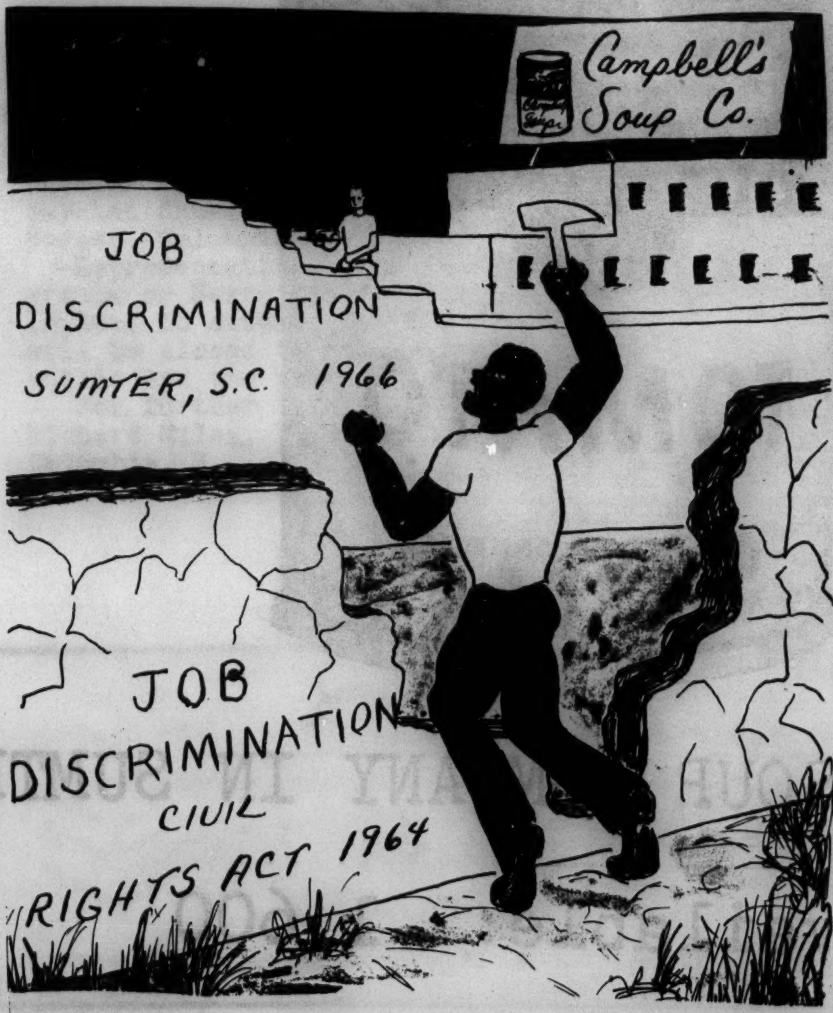
WORK FOR NEGROES AT CAMPBELL'S ?

Plant Says "Come Back in 2 Years"

This June the Campbell Soup Company opened a huge plant in Sumter, South Carolina. Sixteen hundred new jobs were to be filled by people in the Sumter area. The Company promised that half of these jobs would go to Negroes. As of this week, about 1,000 workers have already been hired. Only 177 of these workers are Negroes.

Angry local Negroes, led by Sumter CORE Chairman Reverend W.P. Lewis, met late last week with federal officials in Washington to present their complaints. As a result of this meeting, investigators from both the Defense Department (Campbell has a contract with the Armed Forces) and the Equal Employment Opportunity Commission were rushed into Sumter.

The issue is clear. Negroes have been systematically under-employed at the Campbell plant. The Company and the Sumter Employment Security Commission (a federal unemployment agency) have cooperated together to keep Negroes out of the good paying jobs in Sumter.



In the beginning, workers were hired on the basis of their willingness to work. Later, after it was clear that "too many" Negroes were applying for jobs, the rules were changed so that all applicants must: (1) have at least an 8th grade education; (2) pass a manual dexterity test (this was originally given by the Employment Security Commission); (3) pass a written aptitude test. After many Negroes passed all 3 requirements, they were still denied jobs. Those who asked the Campbell personnel manager, C.W. Partin, about this were told they were not needed and they should not come back for 2 years. Others were denied work because "their teeth were decayed." Some wanted work so badly they had their teeth pulled, but they were still not given a job.

CORE spokesmen and angry Sumter Negroes are not prepared to accept the excuses of the lily-white Campbell plant management. They point out that the test and educational requirements are discriminatory and have nothing to do with a person's ability to do the job. According to Rev. Lewis, "You don't need a Ph.D. to bone chicken."

The plant management in Sumter has been working very closely with the Employment Security Commission. The Sumter Commission in the past has refused to give Negroes jobs as clerk typists, even when these jobs were available. They have offered Negro women domestic work instead, paying a miserly $3 to $4 a day.

Unless the federal investigators convince the Campbell plant to mend their ways, it may be a long, hot winter in Sumter.

Marlboro Improvement Association Charges Discrimination in Local, State Agencies

The Marlboro County Improvement Association released a statement on August 30, 1966, charging discrimination in the placement of Negroes in a number of local, state, and federal agencies.

Frank E. Cain, Jr., President of the Association, stated that he hoped the named agencies would be inspired by the Association's action to take appropriate steps to make use of the talents of the Negro community which has been denied an opportunity to participate in the policy-making affairs of those agencies. Mr. Cain further stated that these organizations shape the social, political, educational, and economic structure of Marlboro County. Among those named were:

Marlboro County Hospital Board of Directors
Marlboro County Board of Commissioners
Marlboro County Board of Education
Marlboro County Health (Unit) Dept.
Marlboro County Red Cross Unit Adm.
Marlboro County T.B. Assn.
McColl-Fletcher Area Trustees Board
Bennettsville Area Trustee Board
Clio Area Trustee Board
U.S. Agriculture F.H.A.
Marlboro County School Lunch Supervisor's Office
Marlboro County Public Library
Marlboro County Board of Registration
Marlboro County Development Board
Marlboro County Welfare Dept..
Tax Equilization Board
Marlboro Electric Cooperative
Lower Marlboro Area Trustees Board
Wallace Area Trustee Board
U.S. Soil Conservation Service
U.S. Internal Revenue Service A & T Tax Unit
Marlboro County Sheriff' Dept.

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SUBSCRIPTION NOTICE

I want to subscribe to CONTRAST for 1 year.

Name ---------------------------------

Address ------------------------------

City ------------------ Zip Code ------

I have enclosed cash, check, or money order for $2.00.

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LEXINGTON MILL FIRES NEGROES

Red Bank Mills of Lexington, South Carolina, only employed white workers until it changed ownership recently. Near the end of the summer, they advertised that they would hire any qualified person. Over a dozen Negroes were hired, but a few weeks later, before even finishing the six-weeks training program, they were dismissed.

WHY?... Because after a few weeks when they were switched from the 1st to the 3rd shift, the white workers on the 3rd shift refused to work with them and refused to train them. The white workers would not cooperate, so the Negroes were fired. One lady from Lexington asks, "What I want to know is why wouldn't they let them work just as well as the other ladies?"

Red Bank Mills has contracts from the federal government. It makes burlap sand bags for the war. This case is being looked into by Negro leaders, and a federal investigation will be requested if Red Bank Mills continues to discriminate against Negro workers.

CONTRAST SAYS THAT THE FEELINGS AND PREJUDICES OF THE WHITE WORKERS ARE IRRELEVANT. IF THEY DO NOT WANT TO WORK WITH NEGROES THAT IS THEIR DECISION. THEY CAN QUIT. MANAGEMENT HAS NO RIGHT TO DISMISS NEGROES BECAUSE OF THE PREJUDICES OF WHITE CO-WORKERS. IT IS A CASE OF PUNISHING THE INNOCENT AND REWARDING THE BIGOT.

HERE IS THE LESSON, WHITE POLITICIANS; IF YOU WANT TO FIGHT YOUR BATTLE SOLELY AMONG THE RANKS OF THE UNCOMMITTED WHITE VOTERS, PROCEED AS YOU ARE. IF YOU WANT LABOR AND NEGRO VOTES IN ANY SIGNIFICANT QUANTITY, YOU MUST PUBLICLY ARTICULATE YOUR DESIRE TO THESE PEOPLE, AND YOU MUST YOURSELF DEVELOP THE PUBLIC ENTHUSIASM FOR YOUR CANDIDACY WHICH WILL BRING THEM TO THE POLLS.

TO DO THIS WOULD BE TO PERFORM A DANGEROUS GAMBLE. NOT TO DO IT WOULD MEAN THAT THE OUTCOME OF EVERY SINGLE POLITICAL RACE IN SOUTH CAROLINA COULD BE DETERMINED AT THIS MOMENT WITH NEAR-COMPLETE ACCURACY. MAYBE THAT IS THE WAY THE WHITE POLITICIANS PREFER IT. MAYBE THAT IS THE WAY SOME OF THE SECONDARY LABOR AND NEGRO LEADERSHIP PREFER IT.

LETTERS TO CONTRAST

Dear Sir:

Of all the fear that has troubled the mind and haunted the conscience of the undemocratic elements of the South none has been as terrifying as the thought of politically minded black men organized and working for total black emancipation. This fear has caused them to pass laws, withhold privileges, and even condone violence. And their determination to keep the black man in the ditch has caused them to stay there with him.

Now, in spite of all their efforts, the nightmare that frightened them in their dreams is becoming a reality. Black men are uniting in an effort to break their economic and political chains. And those who oppose black freedom can be expected to do everything within their power to block black progress. For this we must be prepared. This fight is going to be a long and hard one. But it's one that can and must be won if black America is to be free.

Thomas C. McNeil
McColl, S.C.

CONTRAST SPEAKS OUT

A Word to the Wise ...

by Richard Miles

NEGROES IN THE NATION IN GENERAL AND IN SOUTH CAROLINA IN PARTICULAR HAD BETTER WAKE UP. THE SQUEEZE IS ON, AND UNLESS SIMULTANEOUS LOUD TALK AND SERIOUS ACTION ARE EXPRESSED BY NEGROES, THIS SQUEEZE WILL CONTINUE RIGHT ON. WITHIN THE PAST FEW MONTHS WE HAVE SEEN THE FRAGMENTATION OF THE CIVIL RIGHTS MOVEMENT OVER THE BLACK POWER CONTROVERSY; WE HAVE SEEN THE PROPOSED CIVIL RIGHTS ACT WITH ITS WEAK FAIR-HOUSING SECTION KILLED BY "MODERATE" POLITICIANS IN THE CONGRESS; WE HAVE SEEN THE NEVER-TOO-STRONG RESOLVE OF THE FEDERAL GOVERNMENT TO ATTACK THE EVIL OF THE DUAL SCHOOL SYSTEM FALTER AND WEAKEN EVEN MORE.

GEORGIA VOTERS, PROUD OF THEIR "PROGRESSIVE" STATE, NOW HAVE THEIR CHOICE OF TWO SEGREGATIONIST REACTIONARIES FOR GOVERNOR IN NOVEMBER, AND THE FAVORED MAN IS THE SAME MAN WHO A FEW YEARS AGO DEFIED THE LAW OF THE LAND WITH AX-HANDLES AND PISTOLS. HE MAY WIN HIS BATTLE YET.

PRECIOUS FEW NEGRO FARMERS HAVE BEEN ADDED TO THE POWERFUL COUNTY COMMITTEES OF THE AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, DESPITE INTENSIVE WORK DONE BY CONCERNED INDIVIDUALS IN THIS AREA.

THE OFFICE OF ECONOMIC OPPORTUNITY HAS BECOME IN MANY PLACES A MERE ADJUNCT OF THE WHITE POWER STRUCTURE'S BENEVOLENT PATERNALISM. THE ESTABLISHMENT OF THE MORE EASILY CONTROLLED MISSISSIPPI ACTION FOR PROGRESS, INC., TO REPLACE THE ALL-NEGRO CHILD DEVELOPMENT GROUP OF MISSISSIPPI AS THE CENTRAL CHANNEL FOR PROJECT HEAD START FUNDS ($20,000,000) IS A CLEAR EXAMPLE TO ALL WHO EXPECT REVOLUTIONARY RESULTS FROM A PROGRAM OF BUREAUCRATS, FOR BUREAUCRATS, BY BUREAUCRATS.

WHITE POLITICIANS IN SOUTH CAROLINA WHO ANTICIPATE THE RECEIPT OF NEGRO VOTES IN NOVEMBER HAD BETTER TAKE ANOTHER LOOK AT THE PRECEDING PARAGRAPHS AN ALSO AT THE ELECTION RETURNS IN THE RECENT SPECIAL PRIMARY ELECTION TO DETERMINE THE DEMOCRATIC NOMINEE FOR STATE TREASURER. IT IS NO SECRET THAT LABOR AND NEGROES SUPPORTED THE LOSING CANDIDATE. HE LOST DESPITE THE LACK OF FACTIONALISM AMONG BOTH LABOR AND NEGRO GROUPS, DESPITE THE CONCERN OF THE LABOR AND NEGRO LEADERSHIP, AND, MOST IMPORTANT, DESPITE THE PRESENCE IN THIS STATE OF OVER 40,000 RECOGNIZED LABOR VOTES AND 190,000 NEGRO VOTES.

THREE THINGS ARE TO BLAME FOR HIS DEFEAT:

1. THE LABOR AND NEGRO MASSES WERE NOT MADE AWARE OF THE SIGNIFICANCE OF THIS ELECTION;
2. THE LABOR AND NEGRO LEADERSHIP HAS LOST ITS ABILITY TO SPEAK TO THESE MASSES BECAUSE THEY NO LONGER LISTEN TO THEM.
3. THE MASSES SEE NO CANDIDATES FOR THEIR INTERESTS AND IN THE ABSENCE OF CONTRARY INFORMATION, THEY ARE NOT WILLING TO VOTE AGAINST CANDIDATES WHO SIMPLY OPPOSE THEIR INTERESTS AS WAS DONE WHEN NEGROES, AT ANY RATE, VOTED AGAINST SENATOR GOLDWATER IN 1964.

NEGROES IN INDUSTRY

A Story of Hardship

by Howard Levy

Between 1940-1960, jobs in manufacturing increased 82% in the South. During this same period, non-manufacturing employment increased only 26%. From these figures it is clear that the Negroes' chance for economic betterment will be determined by advances he makes in the job market being created by the influx of new industry in the South.

It must be made clear at the outset that Negroes are not totally excluded from manufacturing. At the present time, one out of five Negro men work in industry. It is, however, just as clear that Negroes are excluded from certain industries. For example, Negro workers make up the following industry-wide percentages: Aircraft 3%, Footwear 3%, Knitting Mills 4%, Electrical Machinery 4%, and Motor Vehicles 5%.

Where, then, are Negroes employed? Naturally in the less desirable, lowest paying jobs. Here are the figures: Logging 48%, Sawmills and Wood Products 39%, Metal Plants 22%.

Negro women fare even worse. Of one million women working in industry in the South in 1960, only 60,000 were Negroes. Most Negro women in the labor force work as domestics at starvation wages and often in the home of a white women who is then free to work for good wages in a local factory.

According to the current national myth, the explanation for this state of affairs is that Negroes lack the education for the better jobs. This is a lie. It is not unusual to find that Negroes doing unskilled work have the same educational background as whites doing semi-skilled work, or semi-skilled Negroes with the same education as skilled whites. When, in fact, Negroes do have less education, it is because of white-imposed, inferior, segregated schools. The white power structure is on the one hand guilty of discrimination, and on the other hand benefits from the cheap Negro slave labor.

"Things are changing for the better." True or False? False - They are getting worse. There were proportionately more skilled Negro laborers before the Civil War than there are now! Between 1920 and 1960, while the number of white women in Southern industry tripled, the number of Negro women actually declined!

What about the few Negroes whose jobs have been up-graded? This usually happens only after a Negro has worked for many years at the bottom of the heap as an unskilled laborer. He then may be "rewarded" by being promoted to the job he should have had in the first place. But since there are very few unskilled workers needed in the most important growth industries (like aircraft, aerospace and motor vehicles), you do not find Negroes working there as skilled, highly paid workers. They are almost completely excluded.

What about the future? Most new jobs will be created in growth industries. That is, exactly those jobs which have excluded Negroes. Furthermore, as other industries like textile mills become more automated, they too will hire fewer unskilled workers, and again Negroes will lose out. More education alone is not the answer, since even with education comparable to the white workers, Negroes do not get the good-paying jobs. Since most of the current emphasis is on educational upgrading, this is likely to result in another dead-end unless accompanied by an assault on discrimination in hiring.

CONTRAST SAYS THAT ONLY WITH A MAJOR EFFORT ON THE PART OF THE FEDERAL GOVERNMENT TO END DISCRIMINATORY HIRING PRACTICES AND TO ENFORCE COMPENSATORY HIRING OF NEGROES WILL WE EVER HOPE TO UNDO A CENTURY OF INJUSTICE. WE FURTHER SUGGEST A MULTI-BILLION DOLLAR FEDERAL WORKS PROJECT WHICH WOULD ENSURE THE HIRING OF NEGROES NOW! SUCH PROJECTS COULD BE CONCERNED WITH BUILDING NEW COMMUNITIES TO REPLACE SLUMS, BUILDING NEW SCHOOLS, HOSPITALS, OLD-AGE HOMES, CULTURAL CENTERS, NEW PARKS AND RECREATION FACILITIES. IN SHORT, IN BUILDING A NEW, LIVEABLE AMERICA FOR ALL CITIZENS.

SAMPLE

O al Ballot, General Election

CALHOUN COUNTY SOUTH CAROLINA
St. Matthews
NOVEMBER 8, 1966

No. 727

SaB
Initials of Issuing Officer

SAMPLE

O al Ballot, General Election

CALHOUN COUNTY, SOUTH CAROLINA
St. Matthews
NOVEMBER 8, 1966

INSTRUCTIONS—To vote a straight party ticket, make a cross (X) in the circle (O) under the name of your party. Nothing further need or should be done. To vote a mixed ticket, or in other words for candidates of different parties, omit making a cross (X) mark in the party circle at the top and make a cross (X) mark in the voting square ☐ opposite the name of each candidate on the ballot for whom you wish to vote. If you wish to vote for a candidate not on any ticket, write or place the name of such candidate on your ticket opposite the name of the office. Before leaving the booth, fold the ballot so that the initials of the manager may be seen on the outside.

OFFICE	DEMOCRAT ○	REPUBLICAN ○	
STATE Governor	☐ **Robert E. McNair**	☐ **Joseph O. Rogers, Jr.**	
Lieutenant Governor	☐ **John C. West**	☐ **Marshall T. Mays**	
Secretary of State	☐ **O. Frank Thornton**		
Attorney General	☐ **Daniel R. McLeod**		
State Treasurer	☐ Grady L. Patterson, Jr.		
Comptroller General	☐ **Henry Mills**		
State Superintendent of Education	☐ **Cyril B. Busbee**	☐ **Inez Clark Eddings**	
Adjutant General	☐ **Frank D. Pinckney**		
Commissioner of Agriculture	☐ **William L. Harrelson**		
CONGRESSIONAL Senator 2 Year Term	☐ **Ernest F. Hollings**	☐ **Marshall Parker**	
CONGRESSIONAL Senator 6 Year Term	☐ **Bradley Morrah**	☐ **Strom Thurmond**	
REPRESENTATIVE IN CONGRESS District 2	☐ **Fred LeClercq**	☐ **Albert Watson**	

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NAME ________________________________

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CITY __________ ZIP CODE ____ STATE __________

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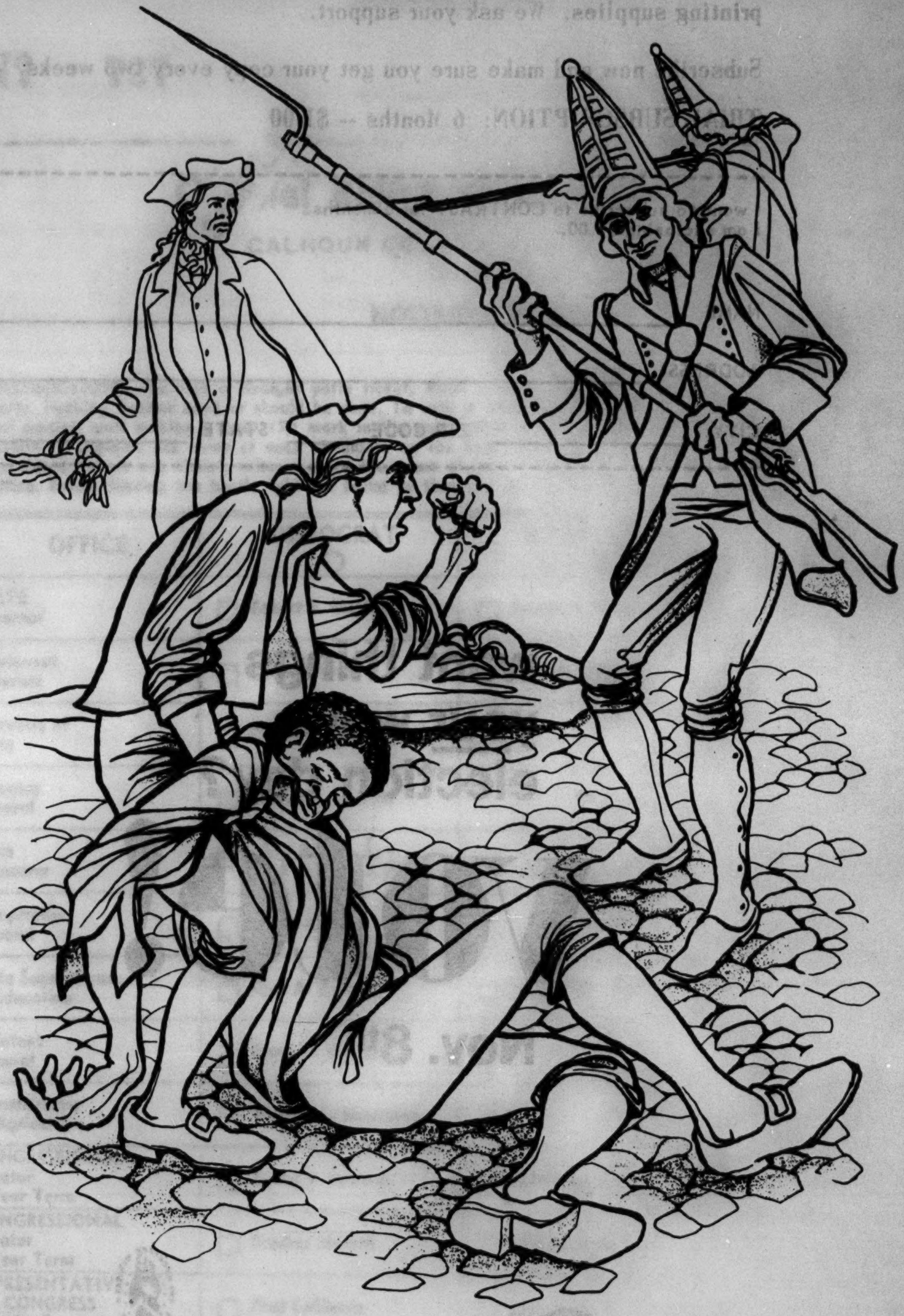
want things
your way
election day?

vote!

Nov. 8th

383



NEGROES IN AMERICAN HISTORY:

A Freedom Primer

by Bobbie & Frank Ciecorka

reprinted by permission of the Student Non-Violent Coordinating Committee

THE AMERICAN REVOLUTION

At one time, the king of England owned America. He made laws that people in America had to obey. When a country is owned by another country, it is called a colony. America was divided up into colonies. The people in the New England colonies used to have mass meetings. They called the meetings Town Meetings.

At these meetings they spoke against the way decisions were made. They didn't want to pay taxes to England when they didn't get to help decide what the laws should be. They didn't want British soldiers to live in their towns and order them around. Like Negroes in the South today, they had no voice in the government.

But many people who came to the mass meetings were Toms for the English. So when someone spoke up, he often got in trouble. After a while, people started thinking they should be free from England. They decided that they would fight Britain if that was what they had to do to be free. They were tired of being almost like slaves to England.

So they wrote the Declaration of Independence and said "all men are created equal." Many of the people who signed the declaration also owned slaves. Some of them felt that Negroes should be free. But many of them thought that freedom was for whites only.

In the days before the war, Boston was one of the towns where British soldiers stayed. The soldiers' coats were red so the people called them "redcoats." The people and the soldiers hated each other and they would often have small fights.

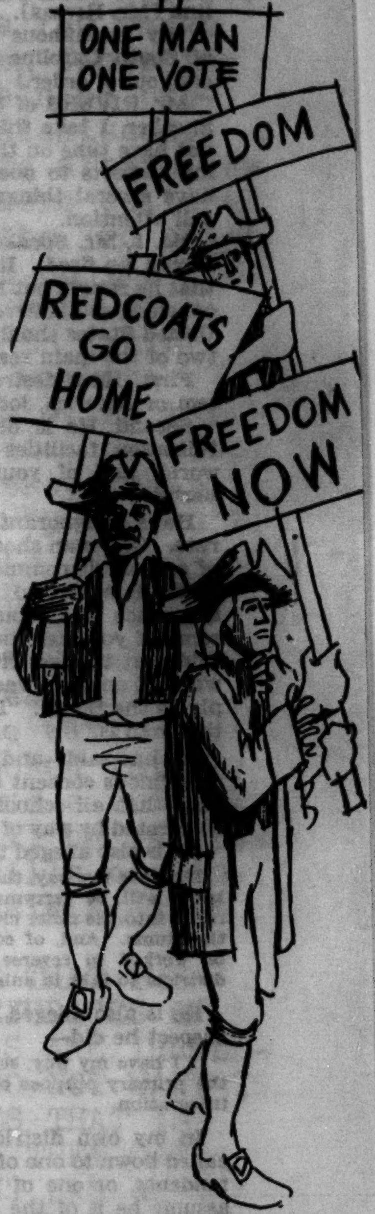
One day there was a bad fist fight between some soldiers and town people. When everybody heard about it the next day, they were very angry. Many of them went out into the streets to wait for something to happen. One little boy got hit over the head by an angry soldier. The people picked up rocks and sticks and marched up to where the soldiers stayed.

The leader of the people that day was a tall, strong Negro named Crispus Attucks. He was a runaway slave who had become a sailor. He stood in front of the people and told them the soldiers would not dare to shoot. The people shouted at the [illegible], "Shoot and be damned! Shoot and be damned!"

A soldier shot into the air to scare the people away. They didn't have tear gas and cattle prods in those days. Instead of running away, the people threw rocks at the soliders. The angry soldiers started shooting at the people. Crispus Attucks fell to the ground, killed by a soldier's bullet. Then the people attacked the soldiers with stones and sticks. They were too mad to care about bullets.

Finally the soldiers backed away and the fighting stopped. Four Americans lay dead in the street. The people carried them away and they were all given a hero's funeral. Crispus Attucks, a black man, was the first person to die for American freedom.

(to be continued)



The following account is printed without comment to give our readers an example of the manner in which their interests are represented by their representatives in Washington.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. Rivers].

(By unanimous consent, Mr. Rivers of South Carolina was allowed to proceed out of order.)

Mr. RIVERS of South Carolina. Mr. Speaker, I take this time, because I did not have time on the poverty bill, to pay my respects to one Harold Howe II. I have several things to which I wish to call attention.

No. 1, Mr. Speaker, is that this misfit should be fired. It has been suggested that he resign, but he did not accept this courtesy, so I believe the President of the United States should fire him. Here are two of the main reasons:

First. He is destroying the school system of America, lock, stock, and barrel.

Second. He is destroying the hospitalization facilities of my part of the world, and of yours, lock, stock, and barrel.

He is so ignorant, he should incorporate. One man should not own so much of any single commodity.

Mr. Speaker, to further indicate his ignorance to a group of Congressmen—some of you may have been present—he said that the last civil rights bill, which was bad enough, was enacted only to apply to the South. That is how ignorant this man is.

He has said—and, Mr. Speaker, I ask unanimous consent to put it in the Record—that all school districts should be integrated by way of busing, if necessary.

He is also alleged to have said:

> If I have my way, the suburban school districts will be gerrymandered so that they reach into the inner city and include some of the slums. And, of course, the process will be worked in reverse to gerrymander city districts to take in suburban districts.

He is also alleged to have said—and I suspect he did—

> If I have my way, schools will be built for the primary purpose of social and economic integration.

In my own district, Mr. Speaker, he called down to one of my school superintendents, or one of his hirelings did—I assume he is of the same ilk; otherwise he would not have the job—and wanted to know why they were building a school building in a certain area. He also wanted to know how they were going to employ the faculty, and what books and so forth they were going to use.

Mr. Speaker, this man talks like a Communist. This is the reason why those of us who know call him a commissar of education.

He has gone so far beyond that distasteful Civil Rights Act of 1965 that the majority leader of the other body said he was trying to go too far, too fast.

Mr. Speaker, the chairman of the Judiciary Committee, if the press is reliable——

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. No, I do not. I will not yield this week, Mr. Speaker.

Mr. Speaker, the chairman of the Judiciary Committee is reputed to have said, in the Washington Star, that he was going to set up an impartial committee to look into these guidelines which this idiot has established.

It is inconceivable to me that the chairman of the Judiciary Committee can find an impartial subcommittee, if his subcommittees on the civil rights bill are any example of impartiality.

I suggest, Mr. Speaker, when he has this committee, he put the gentleman from North Carolina [Mr. Whitener], on the committee, so that our side may have an inning somewhere along the line.

Mr. Speaker, we should investigate this man. He should be kicked out. He is destroying the schools. He is destroying the hospitals. And along the line, and just by way of a windfall, he is destroying the party, in my part of the world, of which I am a member—and this I do not like.

Mr. Speaker, his latest experience in public speaking took place yesterday. He went down to Hampton Institute, where I understand he spent some time.

He speaks of black power. Mr. Speaker, nobody in a responsible position at the taxpayers' sufferance should discuss black power, white power, or any kind of power. This is out of the question.

Among other things, this is what the paper said about this individual.

This is what he is alleged to have said at Hampton Institute:

> Black Power can be a useful concept if it is defined as demanding a rightful place for the Negro American in our national sun; gaining political influence so that the Negro as an individual has a proper say in the affairs of a Nation which his suffering and exploitation helped build.

What does he know about this?

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask if the gentleman on the other side will give me a second or two.

Mr. SISK. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. SMITH of California. Mr. Speaker, I yield the gentleman 5 additional minutes from this side. I am pleased to do so.

Mr. RIVERS of South Carolina. Mr. Speaker, just let me speak until I run out.

Mr. Speaker, he suggests to a group of young college students at Hampton Institute, which is a good institute and a good school—they have a fine president who, I understand, was an all-American football player and a great leader, and I get that from Earl Blaik, also a great leader of youth—Mr. Speaker, he goes down there and tells these young people that by exploitation and suffering this Nation was built. This man is irresponsible. He talks like a Communist. These are the words that those who have this sort of a persuasion pour out on unsuspecting youth. This fellow, Mr. Speaker, should be kicked out. Judge Smith is holding hearings on him now. I do not think he needs to hold any more hearings for me to make up my mind. I want you to hear this editorial on the Charlotte WBTV station. I am going to put in something here from the Washington edition of the Daily News of September 19, and I want you to see something in today's edition of the Washington Post about his speech.

Mr. Speaker, I say to you and to the Members of the House this man is causing enough trouble. Look at what the backlash has caused throughout the country. You start in Arkansas and you go into Louisiana and you go up through Mississippi and look at Maryland and California. A lot of you do not like this. Look at what happened in Georgia. Let this idiot keep on ranting and raving at the taxpayer's expense and agitating the people and suggesting more consternation and more trouble and more racial strife. My State has never been troubled with racial strife. Our fire department in Charleston and our police department have been integrated for 100 years. We do not know what trouble is. But we will have it if this foul blot on the escutcheon of human decency and propriety continues to hold his job going down and talking irresponsibly and suggesting things which you would not countenance nor would other respectable people anywhere in America.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. RIVERS of South Carolina. Now, do not stop a good speech. Of course I yield to the gentleman from Columbia.

Mr. WATSON. I just want to commend my colleague and agree with him wholeheartedly that this man is certainly helping to destroy our educational system and the good will between the people. I agree with him quite emphatically that he is doing more to destroy the Democratic Party and to build the Republican Party than anyone I know. Especially down South. But so strongly do I subscribe to your position that we Republicans, as usual, are willing to sacrifice the building of our party in the interests of the Nation in order that we might get rid of this fellow.

Mr. RIVERS of South Carolina. If you are going to talk about Republicans, you and I both vote alike, and I suspect you and I have the same philosophy. You should stay along with me, because we would do more if you would do what I do.

Mr. Speaker, let me say this: My State does not like what this man is doing. He has gone beyond the Civil Rights Act of 1965, and my Governor has gone into the courts to make this man observe the law. It is bad enough as it is, but he has gone beyond it. He says that you shall recruit members of your faculty for integration purposes. The law does not say that. The law does not give him the right to bust all over God's half acre, but he is trying to do this. At the Governors' conference they have resolution after resolution put through to investigate the guidelines of this man. He should be stopped, and the best way to stop him is to quit paying him, and then he will leave without notice.

Mr. Speaker, I include at this point the articles and material which I have referred to, for the information of the entire Congress.

* * *

Mr. RYAN. Mr. Speaker, I cannot refrain from responding to the remarks which were made earlier by the gentleman in the well regarding the Commissioner of Education.

Mr. Speaker, I cannot believe that any responsible Member of this House would stand in the well and so discredit a conscientious public servant, a respected official of this Government, who is carrying out the mandate of the Congress which we spelled out when we passed the Civil Rights Act of 1964.

Mr. Speaker, title VI of that act makes perfectly clear what the policy of this Congress is with reference to continued school segregation, and the Commissioner of Education is only carrying it out.

But it is our policy.

Mr. Speaker, it is unbelievable to me that any responsible Member of this House would attempt to label the Commissioner of Education as a "Commumunist," one who is carrying out the policy of this Congress.

Mr. Speaker, I certainly hope that the remarks which the gentleman from South Carolina made are not shared by any other Member of this body. I thought that the days of the McCarthy era were gone. But, Mr. Speaker, to hear on the floor of the House such an intemperate attack made upon a responsible public official, makes me shudder for the future of this country.

Also, Mr. Speaker, as a Democrat, let me say that insofar as I am concerned the Democratic Party does not stand for the views of the gentleman from South Carolina [Mr. RIVERS], and it should not stand for any part of this segregationist doctrine. If it did, it would deserve to be destroyed.

Mr. Speaker, our party must stand for civil rights and human rights. It must insure that once and for all the Supreme Court desegregation decision of 1954 is carried out.

Mr. Speaker, that is the purpose of the guidelines. And I am distressed that any member of the Democratic Party, including a prominent member of the other body, should attempt to detract one iota from the position which has been taken by the administration in carrying out title VI of the Civil Rights Act of 1964.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. RYAN. The gentleman refused to yield to me earlier, and I am now using my own time.

Mr. RIVERS of South Carolina. The gentleman from New York mentioned my name, and I did not menton his.

Mr. RYAN. The gentleman from New York, Mr. Speaker, declines to yield. I refuse to yield, Mr. Speaker.

Furthermore, Mr. Speaker, I hope that all Members of the House believe that any Member who is appointed to any committee of this House serves the House. It is not "our side" or "their side," but it is the side of the American people which must be served.

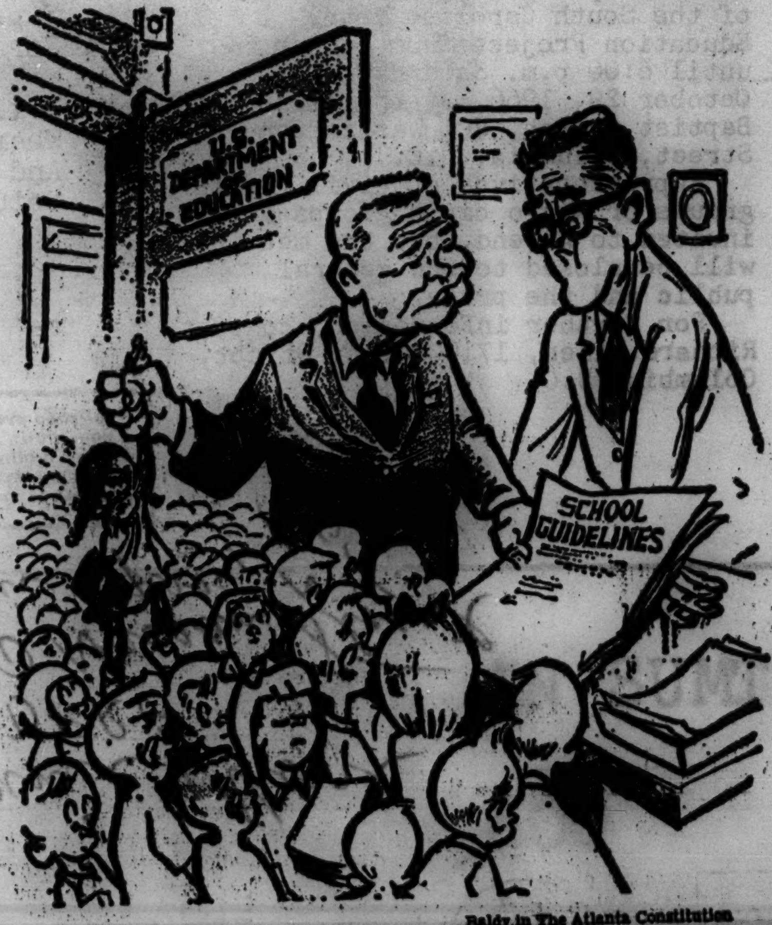
Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER.** The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.



Baldy in The Atlanta Constitution

"... Sure we've complied, here's our Negro!"

A sympathetic view of dilemma faced by Education Commissioner Howe (wearing glasses) in implementing integration guidelines.

Through loneliness and sorrow,
With an air of fear,
We hope for your letters,
It's like a breath of air.

We know we cannot be with you,
But a letter from home
will let all of us know
We are not in this war alone.

JOHNNY LEE WILSON
(Lexington County)
Viet Nam

VEP Will Hold State Meeting

There will be a state-wide leadership meeting of the officers of the South Carolina Voter Education Project from 1:00 p.m. until 6:00 p.m. Saturday, October 29, 1966, at the Zion Baptist Church, 801 Washington Street, Columbia, S.C.

Representatives of civil rights groups or Negro civic groups are invited to attend, but the meeting will be closed to the general public and the press.

For further information, contact Richard Miles, 1719 Taylor Street, Columbia, S.C.

A LOOK FOR TOMORROW

Early in the morn
When the flag is out,
I sit upon a hill
With my mind in doubt...
Wondering why?

We are away from home
Fighting for a cause
we know not right or wrong,
Hoping and praying that someday
we can say we love you, our Darlings
But not from so far away.

We are striving for power.
We want more control.
So we push a little harder,
Trying not to think about the toll.

How long can this go on?
How much can we take?
For this is not a game,
Our lives are at stake.

With the ground as my bed
And a rock for a pillow,
I pray to God Almighty
For a brighter tomorrow.

I think about home
Where our loved ones are safe,
And say a prayer that we will
return to the same place.

Carolina CONTRAST

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S.C. VEP
1719 Taylor St.
Columbia, S.C.
29201

THIRD CLASS

Annie Moore
SEDFRE
150 Nassau Street
New York N.Y. 10038

COLUMBIA S.C. OCT 19 1966
U.S. POSTAGE

VOTE
REGISTER

Tentative Agenda

Workshop For TEAM Community Aides

Penn Community Services, Inc.
Frogmore, South Carolina
April 19 - 21, 1968
EQUAL EMPLOYMENT
IN THE
TEXTILE INDUSTRY

Opening Session - Friday
2:00 - 6:00

I. Description of Project.................................Mordecai C. Johnson
2:00 - 2:15

II. Panel Discussion ....How the Industry Works
2:15 - 3:15

John K. Cauthen, Executive Vice-President,
South Carolina Textile Manufacturing, Presiding

Claude Huggins, Huggins Garment Co.
E. W. Marshall, Reeves Brothers
A. F. Shorkey, Dow-Badische
George E. Keenan, Monsanto
Claude A. Crocker, Clinton Mills

Questions and Answers..
3:15 - 4:15

III. Panel Discussion...Training
4:15 - 5:15

Dr. Benjamin Glover, TEC Education Specialist, Presiding

______________________ Clemson University
______________________ TEC Representative (3)
______________________ Company Training Representatives (2)

Questions and Answers...
5:15 - 6:00

Supper ....
6:00 -n7:00

Friday Evening

IV. Panel Dissussion ....Legal Rights to Employment
7:00 - 8:00

Ernest Finney, Chariman, S. C. to USCCR, Presiding

Harry Boyte. EEOC
Dave Franklin, OFCC
Charles Smith, DOD

Questions and Answers..
8:00 - 9:00

V. Getting to know each other informally.....................................
9:00 - 10:00

Saturday Morning

VI. Fact finding .... Allen Black, Jr., LDF
8:30 - 9:45
Jacques Wilmore, USCCR
Mordecai C. Johnson, TEAM

Coffee Break..
9:45 - 10:00

VII. Panel Discussion................................ Organizing and developing a Community
10:00 - 11:00

Bill Engelhardt, Presiding

James T. McCain, SFDFRE
Howard Fuller, NCF
Isaac Richmond, PCS
James Felder, S. C. VEP
______________________ Union man

Questions ans Answers..
11:00 - 12:00

Lunch...
12:00 0 - 1:30

Saturday Afternoon

VIII. Role playing and critiques in small groups with Aide participation using above consultants and staff and trainees of Penn Community Services.

A. Fact finding
   1. Interviewing company officials
   2. Interviewing training representatives

B. Community Organization and Development
   1. Established community leaders
   2. Unemployed, underemployed, youth and potential leaders

Supper...
6:00 - 7:00

Saturday Evening

IX. Additional Role -playing and Critiques...................................
7:00 - 9:00

Refreshments ....
9:00 - 10:00

Sunday Morning

X. Pre-Employment tests.................................SRC Representative

9:00

What is expected of Aides.................................Mordecai C. Johnson

Lunch..

12:00

8/13 775-173

Ernest Finney
— about ready to sew up Campbell Soup Co

— 6 people working

— dropping 8th St [illegible]
Wonderbread [illegible] good

— $3500 fee
— $1100 exp. } 10 TTs

16 TT. — 7 failed man day
3 phys. unable to work or good

6 qualified — union
new

2 other negotiating

$1820 exp for 10

2 negot — in training program qualified
State Program $32

803 775-173

Ernest Finney

— about ready to sew up Campbell Soup Co

— 6 people workers

— dropping 8th ~~[illegible]~~ Wonderlick 8th grade

— $3500 fee
— $1000 exp. } 10TT3

16TT. — 7 failed man dex
3. phys. unable to work or food

6 qualified — under new

2 other negotiators

$1820 exp for 10

2 negot — in training program qualified State Program $32

Harry S. McAlpin
Attorney at Law
403 MAMMOTH LIFE INSURANCE BUILDING
608 WEST WALNUT STREET
Louisville 3, Kentucky

PHONE JUNIPER 7-6731

February 8, 1963

Mr. Gordon R. Carey
Field Director
Congress of Racial Equality
38 Park Row
New York 38, New York

Dear Mr. Carey:

Back in the Spring and Summer of 1960 you and your organization contributed toward payment of a part of the legal fees incurred by certain students expelled from the Kentucky State College in connection with legal representation of them before hearing boards. This letter is not concerning fees.

Subsequent to the hearings held before the Board of Regents of Kentucky State College, we filed a civil action on behalf of the expelled students and the dismissed instructors in the Federal Court in Kentucky. Our suit is based on the Federal Civil Rights Statutes prohibiting a conspiracy to deprive any person of his constitional or civil rights. We have survived numerous attempts on part of the defense attorneys to get the case thrown out of court on motions to dismiss, challenges to the jurisdiction of the court and on motions for summary judgment. The cases now have been set down for trial on April 29, 1963 in the Federal Court at Frankfort, Kentucky.

As they have a right to do, the defense attorneys have requested opportunity of taking the depositions of each of the students prior to the trial. We can make no plea of hardship because the students are the plaintiffs in these actions. The giving of a deposition, however, prior to the trial will necessitate two trips to Kentucky on the part of these students all but one of whom lives outside of the state. I have just written to them advising them of the necessity of these two trips, one for the deposition and one for the trial. None of them has raised as yet any question of inability to come for these purposes.

My letter to you is in anticipation of possible hardship in this regard on the part of some of these former students. I am

Mr. Gordon R. Carey
Page Two
February 8, 1963

taking the initiative to inquire whether any assistance could be obtained through your organization toward the transportation and per diem of such of the students who may find it otherwise impossible to come for these purposes. I have made no mention of any possibility of such assistance in my letters to the students. I would, however, appreciate hearing from you in regard to this matter.

Very truly yours,

Harry S. McAlpin

Harry S. McAlpin

HSM:ras

March 5, 1963

Mr. John Allison
Marshall, Bratter, Greene, Allison and Tucker
521 Fifth Avenue
New York, N. Y.

Dear Mr. Allison:

Enclosed is a copy of a letter we received from Harry S. McAlpin, a lawyer in Louisville, Kentucky.

Mr. McAlpin inquires whether CORE would have any funds to pay travel costs for students who will have to appear for deposition and trial in Louisville. He anticipates that some of the students may not have funds to pay their own way.

We would like to know whether the CORE SEDF might legally make this outlay under its "Defense" function. We would appreciate an interpretation from you as to whether this falls within the scope of the Fund.

Thank you very much for your assistance.

Sincerely,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

cc; Mr. Richard Missan

JEROME L. GREENE
JOHN P. ALLISON
OSCAR L. TUCKER
MARVIN J. BLOCH
ROYAL E. BLAKEMAN
ALAN L. ROSENBLUM
MORTON S. ROBSON
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DAVID DOLGENOS
HOWARD BINDELGLASS
MARTIN BARR
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YALE H. GELLMAN
JOCKE S. STEVENSON
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ROBERT L. YOUNG
LEWIS D. LOWENFELS

LAW OFFICES
MARSHALL, BRATTER, GREENE, ALLISON & TUCKER
521 FIFTH AVENUE, NEW YORK 17, N.Y.
MURRAY HILL 7-3080

JAMES MARSHALL
COUNSEL

EDWARD M. BRATTER (1934-1957)
WILLIAM J. BRATTER (1950-1960)

CABLE RETTARB, NEW YORK

WASHINGTON OFFICE:
815-15TH STREET, N.W.
MORTON E. YOHALEM
RESIDENT PARTNER

March 8, 1963

Mrs. Richard C. Sachs
CORE Scholarship, Education
and Defense Fund
Room 902
1 Union Square
New York 3, New York

Dear Mrs. Sachs:

I have read the letter addressed to you by Mr. Harry S. McAlpin, copy of which you sent me with your letter of March 5.

I am satisfied that the expenditure by CORE SEDF of travel costs for students required to give depositions in litigation instituted under the Federal Civil Rights Statutes is a proper exercise of its legal defense function.

Sincerely yours,

John P. Allison

John P. Allison

JPA/par

Mrs. ~~Nan~~ Nannette Sachs
CORE
Rm 902
1 Union Sq.
N.Y. 3

APR 1 1963

29 March 63
815 CES Box 343
Forbes AFB, Kansas

Dear Sir:

Having just return from Louisville, Kentucky giving my deposition for the hearing on April 29, for the students that was expelled from Kentucky State College in May of 60. I find myself finacally unable to return.

Mr. Mc Alpin attorney for our core said that core would be willing to help anyone who needed aid in traveling and living expense during the time of the hearing.

I would deeply appreciate any assistance that you can give me.

Thank you,
Jerome Williams

S.E.+D

April 4, 1963

Mr. A/3c Jerome Williams
815 CES Box 343
Forbes AFB, Kansas

Dear Mr. Williams:

I have before me your letter of March 29 about the need for assistance and the April 29 hearing in Louisville. You should write immediately asking for assistance from the CORE Scholarship, Education and Defense Fund. You may write to Mrs. Nanette Sachs, Administrator, CORE Scholarship, Education and Defense Fund, Room 902, 1 Union Square, New York 3, New York.

When you write her you should indicate the specific amount needed for transportation and living expense. I am sure that they will assist you to the best of their ability.

Sincerely yours,

Gordon R. Carey
Director
PROGRAM & TRAINING DEPT.

GRC/ss

Nanette:
up to $100 –

11 April, 63
815 C.E.S. BOX 343
Forbes AFB, Kansas

Mrs Sachs:

I was referred to you by Mr. Carey. I wrote to him seeking financial assistance on my return trip to Louisville, Kentucky for the April 29th, hearing for the students expelled from Kentuvky State College.

I was advise to give you the specific amount needed t for transportation and living expense for the time I will be there.

Traveling and living expense for the week that I will be there is $ 83.00.

Thank you,
Jerome Williams
Jerome Williams

April 11, 1963

Mr. Jerome Williams
815 CES Box 343
Forbes AFB, Kansas

Dear Mr. Williams:

This is a follow-up to the letter you received from Mr. Gordon Carey to let you know that CORE - SEDF does have some funds available for travel related to legal defense in civil rights cases.

Would you please let us know the cost of transportation to Louisville so that we make arrangments to reimburse you for travel when the hearing is held.

In order that we may be prepared to help you when the need arises, would you please send us the above information as soon as possible.

Sincerely,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

April 19, 1963

Mr. Jerome Williams
815 C.E.S. Box 343
Forbes ARB, Kansas

Dear Mr. Williams:

We have received your letter stating that your expenses of travel and living in connection with your hearing in Louisville on April 29 will amount to $83.00.

Enclosed is a check for that amount ($83) which is a grant from the CORE Scholarship, Education and Defense Fund.

We wish you good luck at the hearing.

Sincerely,

Nannette Sachs, Coordinator
(Mrs. Richard C. Sachs)

Encl.

10 August , 1963
815 C.E.S. BOX 343
Forbes A.F.B., Kansas

Dear Mrs Sachs:

I am writing to you requesting aid in traveling and living expense on my forecoming trip to Frankfort, Ky. ; for the hearing of the students that was expelled from Kentucky State College in May of 1960.

Due to the shortness on my leave, I'll have to go by plane, therefore I'll need extra assistance.

Traveling and living expense for the week that I will be in Frankfort is approxamtily $170.00.

Thank you for your time and consideration.

Sincerely,

Jerome Williams

August 20, 1963

A/3c Jerome Williams
815 C.E.S. Box 343
Forbes A.F.B., Kansas

Dear Mr. Williams:

The is in reply to your letter of August 10 asking for a grant of $170.00 from the CORE Scholarship, Education and Defense Fund to enable you to appear for trial in Frankfort, Kentucky in connection with your suit for deprivation of constitutuional and civil rights.

CORE SEDF has made an emergency grant of $170.00 to you, and a check for that amount is enclosed.

Also enclosed is a receipt which I would appreciate your signing and returning in the enclosed envelope as soon as you receive this letter.

On behalf of the Board of CORE SEDF, we wish you the very best of luck at the forthcoming trial.

Sincerely yours,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

Encl.

ZEV AELONY LEGAL DEFENSE FUND

December 4, 1963

Leo A. Bernat, Chairman
503 15th Ave. S.E., No. 2
Minneapolis, Minnesota 55414

Marvin Rich
CORE
38 Park Row
New York 38, N.Y.

Dear Mr. Rich:

Inasmuch as the Zev Aelony Legal Defense Fund has acted as a very flexible organization, the CORE headquarters people have been in contact with a number of our Board members, notably Mr. David Aelony. Now that we are at our first critical decision level with respect to funds collected, I am writing you so that we can coordinate our actions.

We initially established a goal of $5,000. We have not completed our solicitation but we have exceed our goal in net amount. It is now getting uncomfortable to be holding that amount of money when we know how much it is needed.

One piece of correspondence suggested that we hold on to the money until a determination was made whether the CORE Scholarship, Education and Defense Fund could qualify for exempt status on income tax as a non-profit organization. If this is immediate, we would hope to confer this status on our generous contributors. If it is not immediate, I am of the belief that we cannot hold up transfer of funds. In the latter case, it might be desirable to amend the application for exempt status to retroactively cover the Zev Aelony Legal Defense Fund.

A second matter involves the group or groups to whom the checks should be made. A consensus of our Board indicated favor for designating both CORE and attorney Abrams as the recipients of the checks. In this fashion, we would be able to indicate to our contributors that the funds were actually disbursed for the purpose intended. Use of the two designees would assure us of CORE control as well. Consistent with the previous paragraph, we would designate the CORE Scholarship, Education and Defense Fund.

Though it does not seem conceivable that we would collect contributions in excess of the costs of the Aelony et al trials, we have a consensus opinion from our original Ad Hoc Committee that such excess funds should only be disbursed in legal defense cases concerned with civil rights. Furthermore, it is my opinion that, of the groups concerned or involved in legal defenses, CORE would receive the support of the committee. At the present time, that is our indicated intention under the report to be shortly filed under the Minnesota Charitable Organizations Act. Though it is not clear whether we are covered by that act, yet we are filing under it as the easiest method of making a public declaration of the operations of our committee.

With respect to the legal costs of defending Zev Aelony, it is my opinion that if sufficient funds are raised that such funds are to be applied not only to the presently incurred liabilities but also to CORE-paid previously incurred liabilities in connection with the Americus cases.

We would appreciate your counsel and advice on the above matters as soon as possible.

Cordially and fraternally,

Leo A. Bernat

December 18, 1963

Mr. Leo A. Bernat
503 15th Avenue, S. E. No. 2
Minneapolis, Minnesota 55414

Dear Mr. Bernat:

Marvin Rich has referred your letter of December 4 to me for reply.

Actually, this is only a preliminary reply because I need further advice from our attorneys before I can answer all of your qestions.

We would like to suggest that the CORE Scholarship, Educational and Defense Fund be designated as the recepient of the funds collected for the defense of Zev Aelony. Our application for tax-exempt status is pending. It was filed on October 3, 1963. My understanding of the tax regulations is that a taxpayer is entitled to claim a contribution at this time and his claim will be upheld if tax exemption is granted to our organization within three years. At this time we have no reason to doubt that our application will be granted within that period. Of course, we are hoping for that approval in the immediate future and will keep you informed of any change in our status.

On the question of disbursement of any funds raised in excess of your $5,000 goal, (a remarkable tribute to the success of your efforts), we wish to inform you that it appears that CORE's legal fees in this case will run well over the original estimate of $5,000. The exact amount has not been determined yet; I shall let you know as soon as it is.

As to the actual transfer of funds to CORE SEDF, I wondered whether you planned to transfer the individual checks or the entire amount in a lump sum. If the latter is your intention, do you want to include a list of names and addresses of donors so that we may also acknowledge the contributions?

I shall write you again as soon as I have more definitive information on the legal questions you raised. In the meantime, I want to congratulate you again on the outstanding success of your fund raising effort. I know that it represents an immense expenditure of time and devotion.

Sincerely yours,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

ZEV AELONY LEGAL DEFENSE FUND

December 28, 1963

CORE Scholarship, Education and
Defense Fund
Room 902 One Union Square
New York 3, New York

Dear Mrs. Sachs:

An unanticipated delay on a short vacation to Chicago allowed me to pick up your letter but I do not have my file with me. However, that is no reason for me not to respond prior to my return.

First, since your letter indicated that tax exempt status may be achieved in a period which may be as long as three years, I know that our committee will not hold up transmitting funds until approval has been received. Upon completing this letter, I shall write an authorization to transfer $5,000 of our collections to CORE SEDF. As soon as that authorization is countersigned by two other members of our committee, the amount will be transfered.

Despite our original inclination to make out the check to both CORE SEDF and the attorney, Mr. Abrams, we will accede to your request to make the check out to CORE SEDF only. (I presume that this is desired because your defense fund unquestionably had to meet most of the expended costs up to date.)

We have filed under the Minnesota Charities Registration Act. We are not sure that we were required to but we felt that such filing would permit us to make a public disclosure of our operations with minimal difficulty. Our reports will be on file with the secretary of state of Minnesota. In our registration statement, we stated that our committee was organized "To raise funds for the legal defense of Zev Aelony." We explained that the solicited contributions would be used "To pay for the costs of fund-raising (supplies not individual costs) and to contribute to the legal defense costs for Zev Aelony. In the event that the income exceeds the costs, the excess will be devoted to the legal costs of defenants in other civil rights cases." Earlier we had indicated that the funds were "to be distributed as designated through CORE Scholarship, Education and Defense Fund." I've repeated these representations so that your office can prepare suitable receipts.

The last report I received suggests that our present net income exceeds $6,000. In the near future, when all holiday vacations are completed, our committee shall set a completion date and forward the balance in another lump sum amount. A contact has bee n made with the labor unions in the state of Minnesota and we still anticipate an on-campus drive on the University of Minnesota campuses.

With respect to contacting contributors with thanks, it is my feeling that the committee favors doing this itself. However, I shall bring this up at our forthcoming meeting. I hope that you will be able to provide us with the propriety of our contributors claiming income tax exemption on these contributions - if such has not been done already.

With respect to congratulations on our effort, I am pleased to accept them on behalf of all of the people who devoted their time and energies to this effort.

Cordially and fraternally,

Leo A. Bernat

LEO ALLEN BERNAT
503 - 15th Ave. S.E., #2
Minneapolis 14, Minnesota

[January 1964]

a national organization with affiliated local groups working

CONGRESS OF
CORE
RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

James Farmer
national director
Richard Haley
associate
Gordon Carey
assistant
Carl Rachlin, Esq.
general counsel

ADVISORY COMMITTEE
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James Baldwin
Roger N. Baldwin
Katrina M. Barnes
Algernon D. Black
James B. Carey
Allan Knight Chalmers
Grenville Clark
John Cogley
Earl B. Dickerson
Eugene E. Frazier
Harold Gibbons
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Sidney Hollander
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Martin Luther King
Douglas Levin
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treasurer
James Peck
CORElator editor

STAFF
Norman Hill
program director
James McCain
director of organization
Marvin Rich
community relations director

Dear Brother Attorney,

The legal conference of the Congress of Racial Equality entitled "The Changing Role of the Lawyer in an Era of Non-Violent Action" of which you have received previous notice, will be held at the Belmont Plaza Hotel, 49th Street and Lexington Avenue, New York City beginning at seven-thirty P.M. Friday, January 31st, 1964 with the session discussing,

> "Affirmative steps to protect non-violent action demonstrators (viz. Americus, Georgia type of injunction); with exploration of the limits of Shelley v. Kramer."

Saturday morning, February 1, 1964, at 9:30 A.M., our seminar will consider,

> "Defenses available in Court Suits for Damages (with or without accompanying Injunctions) resulting from Picketing and Boycott."

After lunch Saturday at 2:00 P.M. the subject will be,

> "De Facto Segregation and Discrimination in employment and housing, (a) Court Action; (b) Administrative proceedings; (c) Negotiations will be considered"

Saturday evening we will have a cocktail party and dinner at the Belmont Plaza with Father Drinan, S.J. as our guest of honor. Father Drinan is the Dean of Boston College Law School. He will address himself to the theme of our conference, "The Changing Role

WG 2:5/05

of the Lawyer in the Era of Non-Violent Action."

Sunday morning at 10:00 A.M., the subject for discussion will be,

> "Limitations on the free expression of demonstrators, as the result of mass arrests, high bail, injunctions, with consideration of the special problems of minors."

There will be no registration fees for the conference but the cost of the dinner Saturday night will be $6.00. We are enclosing a card which we ask that you return to us, indicating (1) whether or not you will attend the conference, and (2) if you will attend the dinner. One, of course, does not depend on the other.

Discussion papers are being prepared on a large number of subjects. We hope to have these mimeographed and distributed to all present.

Some of the well-known lawyers and community leaders who will lead and participate in discussions are:

Leo Pfeffer, author and well known civil rights attorney.
John Pratt, Counsel, National Council of Churches, Commission on Religion & Race.
Prof. Norman Dorsen, Director of the NYU Arthur Garfield Hays Center.
Floyd McKissick, National Chairman of CORE and Trial Counsel in numerous civil rights cases.
William Kuntzler, one of the most active civil rights attorneys.
Melvin Wulf, Staff Counsel, American Civil Liberties Union.
Prof. David Haber, well known legal scholar and teacher.
Marvin Karpatkin, active in Civil Liberties matters for many years.
Joseph Robinson, who has handled some of the important Civil Liberties cases.
Irving Lesnick, who has worked out many of the defenses in tenant rent strike situations.
Nils Douglas and Robert Collins, of New Orleans, who have handled dozens of civil rights cases in Louisiana including Lombard v. Louisiana.
William O. Valentine, Chief Inter-group Relations Division, New York City Housing Authority.

We hope you can be with us. Please let us know.

Sincerely yours,

CARL RACHLIN

February 6, 1964

Mrs. Richard G. Sachs
Core SED Fund
Room 902, 1 Union Square
New York 3, New York

Dear Mrs. Sachs:

We are certain that by now you have received the $5,000 which was our original goal in raising funds for the Zev Aelony defense. We are now mailing a check for $1,000 which will reach you very shortly. This check is making the rounds of two members of our steering committee because we need two signatures in order to get the check to you in payable condition.

We will probably be sending another $250 when we close out our accounts before the end of February.

Very truly yours,

ZEV AELONY LEGAL DEFENSE FUND

Louis R Smerling

Louis R. Smerling
Treasurer

LRS:mjn

February 11, 1964

Mr. Louis R. Smerling
2552 West Lake of the Isles Blvd.
Minneapolis 5, Minnesota

Dear Mr. Smerling:

I am very sorry that this letter of acknowledgment was not sent earlier. I had hoped to include a full statement of our outlay for Zev Aelony's defense. Since that is not available, I will acknowledge with deepest thanks your check for $5,000 toward payment of legal fees.

You are very kind to inform us of our impending receipt of checks in the amount of $1,000 and $250. I realize that these amounts represent oversubscription of your drive to raise $5,000 toward Mr. Aelony's defense. May I again commend your group for your remarkable success in your undertaking and for your invaluable contribution to the success of the legal effort in Mr. Aelony's behalf (and, in fact, in the behalf of the constitutional rights of all Americans).

I assume that your Committee would not object if any surplus in the amount donated to CORE SEDF would be used in other civil rights cases. In the near future we expect to be asked for funds to cover defense expenses in Louisiana where civil rights workers are presently be abused by the police and the courts.

There is some additional information on the status of our application for tax exemption. We have held a meeting with a representative of the Internal Revenue Service and have received further inquiries leading us to believe that we will receive approval soon. We would continue to advise all contributors to claim their deductions since if their claim is questioned, their exemption would be upheld if the organization receives its exemption within a period of three years. We have every reason to expect our exemption sooner, but of course can make no promises until we have it in hand.

I will send you a formal receipt for your contributions after I have consulted with our attorneys regarding proper form.

Many thanks again for your contribution and your cooperation.

Most sincerely,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

March 6, 1964

Mr. Zev Aelony
4350 Garfield Avenue, South
Minneapolist, Minnesota

Dear Mr. Aelony:

I am writing you regarding the Zev Aelong Defense Fund which raised over $6,000 to pay the expenses of your defense in the Americus case. As you probably know the sponsors of the Fund undertook to raise thecost of Morris Abram's fee which was estimated at $5,000. The oversubscribed their goal by about $1,250. To date, $6,000 has been received by the CORE Scholarship, Education and Defense Fund which agreed to act as agent to transfer the funds to Attorney Abrams.

We now confront a strange problem. It appears by Mr. Abrams is not going to submit a bill for his services. Carl Rachlin has requested a bill of him several times and has not received one. I intend to request his bill once more in the name of this organization, but since it seems likely that he wishes to donate his services, I would like your advice, as beneficiary of the Fund, as to how we should proceed.

I am sure you are well aware that there is a desperate need for defense funds. Right now, there is a massive campaign of arrests and harassment in the Jackson, Mississippi area. Carl Rachlin would like to put a full time lawyer on the job there because legal problems cannot possibly be handled on an emergency basis. A similar situation exists in Northern Louisiana and as you well know in varying degrees throughout the South.

We wondered whether you would be willing to lend your support to seeking permission from the Minneapolis Committee to use the funds raised for you case to pay legal costs in other civil rights cases. Of course, this is all conditional on Mr. Abram's continuing disinterest in sending a bill. We will not formally go to the Committee sigh any proposal until this fact is determined finally. But we would appreciate your comments at this stage before we carry the matter any further. We want to respect your wishes as well as those of the Committee who did such a slendid fund raising effort -- a great tribute to you and to them.

For myself and for the Board members of CORE SEDF, I wish to send regards to you and our sincerest wihese for a speedy and complete recovery from your illness. We are deeply concerned for your personal well being.

Most Sincerely,

Zev Aelony
4350 Garfield Ave. S.
Minneapolis, Minnesota 55409
March 21,1964

Mrs. Nannette Sachs
Administrator, CORE SEDFund

Dear Mrs. Sachs,

I guess I ~~XX~~ should have replied directly to your letter of March 6, but didn't because I spoke with attorney Abrams aboutbother matters a few days latter, and he said he would straighten it out.

~~xx~~ It is quite important to the people here that attorney Abrams submit a bill because otherwise the fund will not have fulfilled its purpose and they will be liable for Minnesota state income taxes and possibley Federal corporate income taxes, which would use up most of the money. It would of course be preferable if the money could remain with the SEDFund. Could Attorney Abrams send a bill accepteng the money and directing it to be placed in the SEDFund? Or accept it and contribute it back to the SEDFund? or some such arrangement that would satisfy the Defense Fund's accountants?

I am feeling quite well, now, thankyou, and hope to return to work on Monday; and certainly nothing on behalf of the SEDFund is an imposition. Many thanks are due to you.

If further i nformatiohn is needed, I will be at: Koinonia, Americus, Georgia. Phone 924- 7253 (area code 912).

Sincerely,

Zev Aelony

March 23, 1964

Mr. Zev Aelony

4350 Garfield Avenue, South

Minneapolis, Minnesota

Dear Mr Aelony:

This is a follow-up to my letter of March 6 regarding disposition of the Zev Aelony Defense Fund. As I mentioned, I would very much appreciate your advice on how to proceed in the event that Attorney Abrams does not submit a bill for legal fees.

If it would be too time-consuming to reply to my questions in a letter, I would be pleased to have you telephone me collect at home. The number is JA 2-5435; area code, 212. (Address is 23 Garden Place, Brooklyn 1, N. Y.)

I hope that you are feeling better and that this is not an imposition on you.

Most sincerely,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

THE FOLLOWING PAGES ARE THE BEST AVAILABLE.

the Sed Fund. Or some arr
to SEDF? or some arrangement
the Defense Fund's accountants

He also said that he had spoken with Abrams about
matters and that he said he would straighten this out.
But to my knowledge there has been no further word from
Abrams. Therefore, to fulfill our obligation I would
like to send him the enclosed letter. However, I want
your approval or suggestion for modification first.
Would you please call me at JA 2-5435 with your comments.

Thank you.

cc: Marvin Rich

TO: Carl Rachlin

FROM: Nannette Sachs April 7, 1964

RE: Fee for Zev Aelony Defense

I assume Marie gave you the copy of the letter from Zev re disposition of the Fund raised for his defense. In case you didn't, I quote the pertinent paragraph:

> It is quite important to the people here that attorney Abrams submit a bill because otherwise the fund will not have fulfilled its purpose and they will be liable for Minn. state income taxes and possibly Federal corporate income taxes, which would use up most of the money. It would of course be preferable if the money could remain with the SED Fund. Could Attorney Abrams send a bill accepting the money and directing it to be placed in the Sed Fund. Or accept it and contribute it back to SEDF? or some arrangement that would satisfy the Defense Fund's accountants?

He also said that he had spoken with Abrams about other matters and that he said he would straighten this out. But to my knowledge there has been no further word from Abrams. Therefore, to fulfill our obligation I would like to send him the enclosed letter. However, I want your approval or suggestion for modification first. Would you please call me at JA 2-5435 with your comments.

Thank you.

cc: Marvin Rich

April 14, 1964

Mr. Morris Abrams
Paul, Weiss, Rifkind, Wharton and Garrison
575 Madison Avenue
New York, N. Y.

Dear Mr. Abrams:

I am writing to you regarding your representation of Zev Aelony in the Americus, Georgia case.

It is my understanding from Carl Rachlin that you have indicated that you wish to consider your services in this case a contribution and therefore you are not planning to submit a bill.

You may know that friends of Mr. Aelony in Minneapolis raised a sum of money to pay the costs of his defense. The CORE Scholarship, Education and Defense Fund is acting as agent to disburse these funds. If it is true that you do not wish to be paid for your services, we would like to arrange release of these funds for defense in other civil rights actions.

You are probably aware of an emergency comparable to that in Americus now exists in Mississippi. Our organization has already made a partial commitment to meet court costs for Lois Chaffee who is charged with perjury for giving grand jury evidence of police brutality. There are a number of other actions pending and a desperate lack of funds to meet the costs of defense. If we could make the funds allotted for the Aelony case available for defense in Mississippi, we could make a very valuable contribution toward meeting these costs.

I want to assure that all of us at CORE SEDF are deeply appreciative of your able and courageous defense of Mr. Aelony. You dealt a telling blow to the foes of civil rights and civil liberties and spared the four defendants untold hardship.

Sincerely yours,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

Dear Mr. Abrams:

We are writing you in regard to your services as counsel for Zev Aelony in the Americus, Georgia case.

The CORE Scholarship, Education and Defense Fund has assumed responsibility for disbursement of funds raised to pay the legal fee for the defense of Mr. Aelony. We therefore ask that you submit to us your bill for services rendered in this case.

May I also express our deep gratitude for your able and courageous defense of Mr. Aelony. You dealt a telling blow to the foes of civil rights and civil liberties and spared the four defendants untold hardship.

Sincerely yours,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

PAUL, WEISS, RIFKIND, WHARTON & GARRISON
575 MADISON AVENUE, NEW YORK, N.Y. 10022

MURRAY HILL 8-5600
CABLE: LONGSIGHT, N.Y.

SIMON H. RIFKIND
ROBERT E. SAMUELS
JOHN F. WHARTON
LLOYD K. GARRISON
MYER D. MERMIN
HOWARD A. SEITZ
H. RUSSELL WINOKUR
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MORRIS B. ABRAM
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ALLAN B. ECKER
ALAN N. COHEN
JAMES L. PURCELL

ARTHUR J. COHEN
COUNSEL

RANDOLPH E. PAUL (1946-1956)
LOUIS S. WEISS (1927-1950)

April 22, 1964

Mrs. Richard C. Sachs
CORE Scholarship, Education and
Defense Fund
Room 902
One Union Square
New York 3, New York

Zev Aelony

Dear Mrs. Sachs:

Replying to yours of the 14th I want to state that we do not wish any compensation in the Aelony matter. I assume that the bills are all taken care of, and if there are any loose ends in that area, I would reserve the right to ask you to pay these out-of-pocket expenses.

Incidentally, I think you might set up a reserve because the case is not finished by any means and there may be a good many expenses which will be developed in the subsequent proceedings, such as for travel, printing of briefs, and the like.

Very sincerely yours,

Morris B Abram

Morris B. Abram

331-2994

April 28, 1964

Mr. Leo Bernat
503 15th Avenue S.E., No. 2
Minneapolis, Minnesota 55414

Dear Mr. Bernat:

I apologize for the lapse of time between communications. At long last, I have something definitive to report.

First, we received last week our letter of exemption from the Internal Revenue Service. I am sure that you and the other contributors to the Zev Aelony Legal Defense Fund will be as pleased as we to have the blessings of the IRS on contributions.

Another complication has arisen, though; Zev Aelony may already have alerted you to the following. Attorney Abrams has written us that he does not wish any compensation in the Aelony matter. He suggested however that we retain a reserve for expenses that may be incurred in subsequent proceedings.

In view of the above, we wondered whether your committee would consider releasing that part of the Fund which is not held in reserve for use in other civil rights cases. I am sure you need no spelling out of the continuous crisis we face in defense. Right now there is a massive campaign of arrests and harassment in the Jackson, Mississippi area. CORE SEDF has committed itself to paying $500 toward the defense of Lois Chaffee who has been charged with perjury for giving testimony of police brutality. The CORE lawyer, who is donating his services, is instituting an action similar to Americus in trying to win an injunction from the Federal District Court. Carl Rachlin, CORE's General Counsel predicts that expenses will actually run into the thousands.

If your Committee approves, we would like to use the money in the Aelony Fund which is not set aside for reserve, to pay some of the Mississippi costs and to lay the groundwork for our defense program. To date we have not had funds to make a meaningful contribution to defense; the costs run so high. But with our new tax exempt status, we hope to begin to meet our responsibilities in this area.

If this proposal meets with the approval of your Committee, I am sure that we can manage the legal details according to your specifications. Mr. Abrams will certainly cooperate if necessary. I have also been in touch with Zev Aelony and he endorses this use of the Fund.

Would you please let me know your wishes.

Once again, many thanks for all you have done.

Most sincerely,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

[ca. June 17, 1964]

CORE SCHOLARSHIP, EDUCATION AND DEFENSE FUND, INC.
1 Union Square, Room 902, NYC 3

TO: Andy Norman
Shelley Appleton
John Allison
FROM: Nannette Sachs

RE: Request for Legal Fee

Attached is a copy of a letter from Carl Rachlin requesting SEDF to pay the bill of Leonard Rosenthal, an attorney in Mississippi, for $250 for services rendered in civil rights matters. Do you think we could pay the bi bill with funds designated for defense and assume approval by the Beard at its next meeting. I know that Carl feels they cannot call on Mr. Rosenthal again unless they can pay this bill, which he feels is minimal.

CARL RACHLIN
ATTORNEY AT LAW

165 WEST 46TH STREET, NEW YORK, N. Y. 10036
212 LT 1-8700

June 17, 1964

Miss Nanette Sachs
23 Garden Place
Brooklyn, New York

RE: Leonard Rosenthal

Dear Nanette:

Leonard Rosenthal as of this moment is the only white attorney in the entire state of Mississippi who is willing to handle a civil rights case.

He has handled several cases relating only to civil rights and has sent a very modest bill of $250.00. He is doing other things in addition. It is most unfair to him, who has been so seriously hurt in his practice by undertaking civil rights cases, not to have his bill paid. May I request that S.E.D.F. pay his bill for services in civil rights matters.

We hope to be able to use him in the future and this will be difficult unless we pay his bill.

Very truly yours,
Carl Rachlin
CARL RACHLIN hs

CR/hs

ZEV AELONY LEGAL DEFENSE FUND

June 25, 1964

CORE Scholarship, Education and
Defense Fund
Room 902 One Union Square
New York 3, New York

Dear Mrs. Sachs:

I am confirming the conversation I had with your office several weeks ago. I apologize for taking so long to write.

The funds collected by the Zev Aelony Legal Defense Fund were collected to pay the costs of Zev's legal defense on civil rights issues. If there remained any surplus, this was to be used only in other legal defenses on civil rights issues. Our filing under the Mineesota Charities Registration Law specifically states:

> 10. GENERALLY EXPLAIN PURPOSES FOR WHICH ORGANIZED: To raise funds for the legal defense of Zev Aelony.
>
> 11. GENERALLY EXPLAIN THE PURPOSES FOR WHICH CONTRIBUTIONS SOLICITED WILL BE USED. To pay for the costs of fund-raising (supplies not individual costs) and to contribute to the legal defense costs for Zev Aelony. In the event that the income exceeds the costs, the excess will be devoted to the legal costs of defendants in other civil rights cases.

We are pleased to learn of the additional contributions to the Zev Aelony case which necessitated an interpretation for the distribution of funds.

First, all expenses incurred and paid to date on the Zev Aelony civil rights cases may be assessed against the funds raised in Minnesota.

Second, the balance of the funds must be considered a contingent reserve against future costs arising out of these cases. This is not to say that an actual cash reserve must be maintained for these contingent liabilities. Rather, it is to say that if no cash reserve is maintained, future costs in the Zev Aelony civil rights cases shall have first priority against income of CORE ESD funds up to the balance of the account.

In collecting the funds, the officers of the Zev Aelony Legal Defense Fund recognized that many contributors reacted to the grave injustices involved in the legal treatment of individual rights. Such persons were not concerned, at least overtly, with scholarship, education or any other program of a civil rights movement. Hence, all tendered funds must be strictly limited to costs incurred and paid as a result of legal defenses in civil rights cases.

The above policy statement represents my synthesis of the discussions and motions adopted by the Zev Aelony Legal Defense Fund. I accept full responsibility in transmitting this information inasmuch as our Steering Committee has adjourned sine die. CORE ESDF shall be acting properly in confining itself to the limitations prescribed above.

Upon receiving the last transfer of funds, which I have been informed has been transferred to you, we would appreciate a receipt as part of, or attached to, a letter specifying the use of the funds as above limited. Reference to this letter may be made as you choose. This receipt is necessary for a proper liquidation of the funds collected and for a terminal report under the Minnesota Charities Registration Law.

Cordially and fraternally,

Leo A. Bernat

Leo A. Bernat

June 26, 1964

Mr. Carl Rachlin
165 West 46th Street
New York, N. Y. 10036

Dear Carl:

Because of the emergency nature of your request for payment of Leonard Rosenthal's fee for services rendered in defense of civil rights cases in Mississippi, the officers and Legal Committee authorized payment of the amount requested.

I am therefore enclosing a check for $250.00 payable to Leonard Rosenthal and request that you transfer same to him. Would you please express also to Mr. Rosenthal our gratitude for acting as counsel in civil rights actions. SEDF is pleased to be in a position to pay his bill. His services deserve more than monetary compensation.

Yours very truly,

Nannette Sachs, Administrator
(Mrs. Richard C. Sachs)

QUEENS COLLEGE
FLUSHING 67, NEW YORK

July 10, 1964

CORE Scholarship, Education and Defense Fund
1 Union Square
New York 3, New York

Dear Sir:

The students of Queens College have established a fund, under the auspices of the campus-chartered chapter of CORE, to supply bail-bond to those students and alumni of the school who are presently working in Mississippi with the COFO project (there are six including Andrew Goodman).

In a telephone conversation with Mrs. Richard Sachs on July 2, we were told that it might be possible to turn these funds over to the CORE Scholarship, Legal and Defense Fund with the stipulation that we be guaranteed an amount for bail-bond equal to that which we contribute when and if it is needed for these Queens College students and alumni.

We would appreciate written confirmation or comment on this at the earliest opportunity.

Thank you for your interest and cooperation.

Sincerely,

John Irvine

John Irvine
c/o Queens College Student
Association

July 11, 1964

Mr. Leo Bernat
503 15th Avenue S.E., No. 2
Minneapolis, Minnesota 55414

Dear Mr. Bernat:

I wish to acknowledge with thanks your letter of June 25 regarding disposition of the Zev Aelony Legal Defense Fund.

First, let me express our gratitude for the recent additional contribution of $587.00 bringing the total contribution of your group to $6,587.00. Your Minneapolis Committee responsded not only with sympathy but also with great energy and generosity to obtain justice for Zev Aelony whose rights and very life were in jeopardy. I'm sure that he gained stength to survive this ordeal from this active support of his home community.

In accordance with our understanding, the contribution will be used to pay expenses already incurred in the Aelony case and also to maintain a reserve against future expenses in the event of further litigation.

We understand that it will be acceptable to you if instead of retaining a separate reserve account, CORE SEDF pledges to meet out of its income any future expenses in the Aelony case up to the balance of the contribution of your Fund. Therefore, the surplus of your contribution may be used for defense in other civil rights action. You may consider this letter confirmation of our agreement to the above. (We realize that the contributors to your Fund responded to the outrageous injustice Mr. Aelony suffered at the hands of the Georgia authorities and therefore they would wish the surplus to go toward legal defense in similar cases.)

A receipt for your contribution is enclosed. Please express our most profound thanks to those who organized the Fund and to those who gave so generously. I'm sure you know that Zev Aelony has returned to Americus where he continues to give heroic leadership to the struggle for racial justice. In his behalf and in behalf of the others who will gain legal assistance from the proceeds of the Fund, we say a most heartfelt thank you.

Sincerely,

Nannette Sachs, Administrator

CC: Andrew Norman
Shelley Appleton
Marvin Rich
Ezra Levin

(enc receipt too)

CORE SCHOLARSHIP, EDUCATION AND DEFENSE FUND, INC.
1 Union Square, Room 902
New York 3, N. Y.

RECEIPT OF CONTRIBUTION July 11, 1964

This is to acknolwedge receipt of a contribution of $6,587.00 from the Zev Aelony Legal Defense Fund. This amount is earmarked for paying costs of the defense of Zev Aelony, a civil rights worked arrested and charged with insurrection in Americus, Georgia. In accordance with the stipulations of the Zev Aelony Legal Defense Fund, any surplus after current expenses are paid in this case may be used to pay expenses in legal defense of other civil rights cases with the proviso that in the event the Aelony case is re-opened, the CORE SEDF agrees to meet future expenses up to the balance of this contribution.

PAUL, WEISS, RIFKIND, WHARTON & GARRISON
575 MADISON AVENUE, NEW YORK, N.Y. 10022

MURRAY HILL 8-5600
CABLE: LONGSIGHT, N.Y.

SIMON H. RIFKIND
ROBERT E. SAMUELS
JOHN F. WHARTON
LLOYD K. GARRISON
MYER D. MERMIN
HOWARD A. SEITZ
H. RUSSELL WINOKUR
ALEXANDER HEHMEYER
ADRIAN W. DEWIND
EDWARD G. MILLER, JR.
MORRIS B. ABRAM
MORDECAI ROCHLIN
PAUL J. NEWLON
JOSEPH S. ISEMAN
JAMES B. LEWIS
SIDNEY R. NUSSENFELD
MARTIN KLEINBARD
RICHARD H. PAUL
NORMAN ZELENKO
JOHN E. MASSENGALE
JAY H. TOPKIS
EDWARD N. COSTIKYAN
ROBERT H. MONTGOMERY, JR.
JOHN C. TAYLOR, 3RD
BERNARD H. GREENE
ERNEST RUBENSTEIN
ALLAN B. ECKER
ALAN N. COHEN
JAMES L. PURCELL

ARTHUR J. COHEN
COUNSEL

RANDOLPH E. PAUL (1946-1956)
LOUIS S. WEISS (1927-1950)

July 15, 1964

Mrs. Richard C. Sachs
CORE Scholarship, Education and
Defense Fund
Room 902
One Union Square
New York 3, New York

Zev Aelony

Dear Mrs. Sachs:

The Bookkeeping Department of our firm has advised me that we have outstanding disbursements in the above matter in the amount of $216.60.

These represent expenses of our associates in Americus, Georgia during the hearings, car rental to travel from Atlanta to Americus and return, postage, fares, long distance telephone calls, etc.

I would appreciate a check from CORE for $216.60. Thank you very much.

Sincerely,

Morris B. Abram

July 29, 1964

Mr. John Irvine
care of Queens College Student Association
Queens College
Flushing 67, New York

Dear Mr. Irvine:

Thank you for your letter of July 10, telling us about the fund you have established at Queens College to supply bail-bond for your students and alumni who are working for equal rights in Mississippi. This is certainly a crucially important and very timely project to undertake, and we hope you are most successful.

I apologize for taking so long to answer your letter. It was necessary for me to discuss the matter with Carl Rachlin, our attorney, and he was out of town all last week.

Mr. Rachlin and I agree it will be perfectly all right for you to turn these funds over to CORE Scholarship, Education and Defense Fund, to be earmarked by us for bail-bond for students and alumni of Queens College working in the South. This will enable your contributors to take advantage of our tax exempt status.

Do you have any notion how much money you can raise, and do you have any idea how much your people in Mississippi may need? The only problem Mr. Rachlin and I see is one of communication. As you may know, the COFO project is made up of a number of civil rights organizations and many, many individuals. When civil rights workers are picked up and need bail-bond money it is taken care of in various ways. Often we do not hear about the matter at all. Therefore, if you wish your funds to be used for Queens College people, you will have to let them know this money is available for them and how to get in touch with us if an emergency arises.

Perhaps you would like to discuss this further, and I suggest you telephone me at my home MA 4-7729. We are very glad to cooperate with you in this most worthwhile fund raising effort, and I will hope to hear more about it from you in the near future.

Sincerely yours,

Martha Ann Singer, Co-Administrator
(Mrs. Monroe S. Singer)

home address:
15 Willow Place, Brooklyn 1, N.Y.

August 5, 1964

Morris B. Abram, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison
575 Madison Avenue
New York, New York 10022

Zev Aelony

Dear Mr. Abram:

Enclosed is a check in the amount of $216.60 to cover the disbursements of your associates in the Zev Aelony case in Americus, Georgia.

We are all very appreciative of your important contribution in this matter.

Very truly yours,

Martha Ann Singer, Co-Administrator
(Mrs. Monroe S. Singer)

- Schiffer called 10/29/64
  re Zalon
- expenses for 5 months up to 10/1 — $3800
  $800 were billed to CORE
= $600 a month for next six months — this includes:

office
secretarial > $600 a month.
telephone

- wrote Carl Rachlin a detailed breakdown on this -
- billed CORE directly for mimeographing, transportation, etc.
— things normally billed to a client -

→ = will contribute the past $3000 but figured his expenses before Europe trip and decided he can't carry Jules any more — wants $600 a month henceforth.

We have allocated - 3250 for Jules
1750 expenses
5000

therefore - his requirements are $3600 — we allowed $1750 - so need $1850 more

Memorandum to: Members of
the Legal ~~Defense~~ Committee
of CORE SEDF
Messrs: ~~John A~~ Andrew Norman,
President of the Bd
John K. Allison
William Ellis
? — Roseland

[redacted]

From: Mrs. Ann Singer

Re: Expenses ~~of Jules [illegible]~~
~~By George~~ of Mr. Jules Zalon,

Mr. George Schiffer telephoned me on Friday to say that ~~, while it was all right for Jules Zalon to continue working in his office for us, working in his office for the next six months, he could not~~ he could ~~not~~ no longer pay or absorb ~~the office~~ in his budget the office expenses of Jules Zalon. Mr. Schiffer said that ~~while~~ although there were some problems with the arrangement ~~it was crowded~~, Mr. Zalon was welcome to continue working in his office for the next six months. Mr. Schiffer ~~you will recall~~ figured ~~his expenses~~ the expenses of office space, secretarial help, telephone, etc. for Mr. Zalon and found that the total was $3800. for the ~~last~~ five months up to October 1. ~~He~~ Mr. Schiffer billed CORE for $800 of this total, for specific items such as transportation costs, mimeographing jobs and so forth. He is willing to ~~contribute~~ contribute, in effect, the remaining $3000 of past expenses. However, henceforward, Mr. Schiffer says he must bill us $600 per month for Mr. Zalon.

As you recall, ~~from~~ the meeting early in October, the Legal Committee agreed to continue the employment of Mr. Zalon for a trial period of six months at the rate of $125 per week. ~~For the w~~ A total of $5,000 was authorized by the Committee for this pilot project. Therefore, $3,250 will be paid to Mr. Zalon, ~~was~~ and $1,750 allotted for expenses. This allotment for expenses is about half of the amount Mr. Schiffer tells us he requires to keep Mr. Zalon in his office for the ~~next~~ six months beginning Oct. 1.

Mr. Schiffer can, of course, submit to you a detailed breakdown of these expenses.

CORE Scholarship, Education and Defense Fund
150 Nassau Street, Room 1312
New York, New York 10038

Notes from a Meeting of the Legal Committee

February 5, 1965 -- at Mr. John Allison's office, 430 Park Avenue
2:30 P.M.

Present:
- John Allison
- and William Ellis from the Committee

(Andrew Norman is also on this Committee but was not at the meeting)

By invitation:
- Marvin Rich
- Nannette Sachs
- Carl Rachlin
- Michael Barron
- Ann Singer
- Marvin Rich

The purposes of this meeting were to go over and clarify SEDF's new southern legal defense program, and to define more clearly what SEDF can pay for legally and what it can do consistent with its stated goals.

Much of the meeting consisted of a discussion of what SEDF can do and can't do under the tax laws, and what kinds of legal activities are consistent with our charter and stated purposes.

Michael Barron brought our charter to the meeting, and, from a reading of those sections pertaining to our legal defense activities, it was generally agreed we have a broad latitude in our legal program, at least as far as our charter is concerned. With regard to the tax law, we can certainly defend individuals whose rights have been impinged and we can enjoin a person or organization (such as ~~as~~ a college, employer or such) from taking action which will abridge rights.

There was some discussion as to what our lawyers in the field will actually be called on to do. It was agreed that Michael Barron will meet with our various lawyers from the Souhh, when they come to New York for the legal conference on February 20-21, will discuss with them what they actually do in the field, and will then write a guideline memorandum for our and their use.

The problems of supervising these lawyers was discussed and of approving their bills and so forth, and it was generally agreed that, since none of us at SEDF were lawyers nor directly involved in this program, ~~thatx~~ Carl Rachlin would have to see to it that he supervises and administers this program.

February 16, 1965

To: Michael S. Barron, Esq.

From: Mrs. Ann Singer

As I mentioned at our recent meeting, I thought it would be helpful if you knew the names and addresses of the lawyers we are involving in CORE SEDF's expanded legal defense program so you can be sure to see them when they come to New York for the legal conference, February 19-21.

Louisiana

Robert F. Collins, Nils R. Douglas, Lolis E. Elie of
Collins, Douglas & Elie
2211 Dryades Street
New Orleans, La. 70113

Murphy Bell
971 South 13th Street
Baton Rouge, La.

North Florida

John Due--He will set up an office in or near Tallahassee, but does not have an address there as yet. He is a young man, a year or two out of law school.

North Carolina

Floyd B. McKissick of
McKissick & Burt
213½ West Main Street
Durham, N.C. 27701

Mississippi

SEDF is not employing its own lawyer there as yet, but will be paying part of the expenses of a lawyer, Alvin ~~Bronskin~~ Bronstein, being sent down ~~in~~ by the Lawyer's Constitutional Defense Committee.

New York City

Jules Zalon acts as legal coordinator of volunteers, and handles some cases himself.

George Schiffer volunteers his services and handles a great many New York City and National CORE civil rights matters.

March 10, 1965

Dear Ann,

I'm really sorry for the delay but I wanted to speak to Carl about this thing but he was away for the past two weeks. I hope this helps you out.

Let me know if there's anything else I can do – I'll try to be more prompt

Steve Press

① of ②

Lawyers working for the Congress of Racial Equality consider themselves to be sort of legal firemen. Whenever rights of our citizens are being trammeled upon, whenever demonstrating citizens are arrested the CORE legal department is on call. Cases were handled this year from New York to San Francisco, from Milwaukee to Jackson, Mississippi.

In the ~~past~~ last ~~six~~ three months of 1964 CORE's General Counsel Carl Rachlin along with cooperating CORE attorneys from Jackson, Miss and New Orleans, Louisiana argued two cases in the highest federal courts. The first one, Cox v Louisiana was decided early in 1965 by the United States Supreme Court. The Court reversed the Louisiana arrest and conviction of civil rights demonstrators who had paraded in front of a Baton Rouge courthouse. The second case is still awaiting decision in the United States Circuit Court of appeals. In this case, Pierson v Ray, the CORE attorneys took a novel approach and brought a false arrest and imprisonment action against the Sheriff and a City Court Judge of Jackson, Miss for the arrests and ~~subsequent~~ subsequent imprisonment of thirteen ministers during the period of the freedom rides {I don't know } if you're interested but Rev. Pierson is Gov. Rockefeller's son in law)

Not all cases require litigation however as some

② of ②

emergencies occur so rapidly that litigation is impossible and impractical. An example of this was a phone call received in the middle of ~~the~~ one night during the summer of 1964 by Carl Rachlin General Counsel of CORE from Jonesboro, Lousianna. The tense voice on the other end of the line was that of a CORE field worke who along with three others had been trapped in a farm house by an ugly mob which threatened to burn the building down unless the CORE people surrendered themselves. The local police had refused to aid the trapped foursome. The CORE General Counsel, racing against time, dialed the FBI in Washington, D.C. but got no response. He then dialed the FBI in New Orleans and happily ~~the~~ there was an FBI man on duty. After some urging he responded by getting the local authorities in Jonesboro to rescue the surrounded civil rights worke This story is not a rare happenstance but is repeated quite often. The fact that a lawyer is on the scene and makes his presence known can and has saved lives. CORE needs funds so that it can have the ability to send its lawyers from one community to another wherever there is trouble brewing to put the fire out by Stephen Press

3/65

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Stephen Press

11, 1965

Legal Defense

problems

① Charles Oldham – 2/11/65 letter
Yes $750 asked for bond money in
Jefferson Bank and Trust Co. vs CORE

② Floyd B. McKissick –
back retainers, $1,500 for 1964
No
(March '65 being paid now)

③ Collins, Douglas + Elie
bills yes back retainers and bills
retainer No (March '65 retainer being paid now)

④ George Schiffer back bills
– Called to say they amounted to
yes
Several hundred dollars.
no until – Carl clears > He sent contribution of $500
to pay 'back legal bills' –

meeting of legal comm. c̄ Rachlin + Schiffer ⑤ What about Schiffer's hiring of
this new attorney Nadler to
replace Zalen ?? No bills
received as yet.

acknowledge
check George
Wiley

⑥ Must clear up $100 contribution from Seidenberg in Syracuse for Syracuse Legal Defense Fund. Not even acknowledged as yet.

do not
pay unless
you get
reports

⑦ John Doe has not checked in yet — written him twice.

→ general back bills

	/Mo	
Schiffer	450	135
Zalon - Nagler	540	162
McKissick	250	75
C D E	400	120
Due	540	108
Murphy Bels :		6,0

Bills - $4,493.01
Retainers - 6,000 —
Expenses -

court fees
Retainers
admin expenses

Legal Genl Folder

Congress of Racial Equality
Edwin A. Day, Business Manager
May 19, 1965

STATEMENT

NATIONAL CORE -- EXPENSES, LEGAL DEPARTMENT
JANUARY 1, 1965 to MAY 19, 1965

		Total	CSEDF
Salaries			
Carl Rachlin, General Counsel	1/1/65 to 5/5/65	$2769.24	$2215.39#
Secretary	1/1/65 to 4/21/65	$1984.20	$1984.20
Rent, office 1/1/65 to 5/1/65		$1191.67*	$ 714.00**
Telephone 1/1/65 to 5/19/65		$11,367.49*	$1705.12**
		Total CSEDF	$6,618.71

* total, National Office
** 15% of total
# 80% of total

xxxxxxxxxxxxxxxxxxxxxxxxx 150 Nassau St., Rm. 1312
xxxxxxxxxxxxxxxx New York, N.Y. 10038

May 20, 1965

Michael S. Barron, Esq.
Marshall, Bratter, Greene, Allison & Tucker
430 Park Avenue
New York, N.Y.

Dear Mike:

Andy Norman made some changes in your memorandum. I don't know that they are of great importance, but would you compare this copy with the one which you sent us and see if you approve it. If so, we will get it off to the lawyers. If not, let me know.

Thanks so much.

Cordially,

Marvin Rich
Executive Director

lu
encl.

Recd 5/26/65

Legal

LAW OFFICES OF
McKISSICK & BURT
213½ WEST MAIN STREET
DURHAM, NORTH CAROLINA 27701
OFFICE 682-8106

F. B. McKISSICK
M. C. BURT, JR.

COPY

May 24, 1965

Carl Rachlin, General Counsel
Congress of Racial Equality
38 Park Row
New York 38, New York

Re: Chapel Hill Demonstration Cases

Dear Carl:

We have this week discussed in length the above named cases. Work which we did not bill you for, intentionally and unintentionally, and all other aspects involved, such as the Kinoy firm's failure to handle the cases they took from us. Since we were counsel of record in the lower court in addition to the fact that the failure to handle said cases would have caused CORE embarrassment we were forced to prepare appeals, records and briefs in record time--both day and night.

In spite of all of these hardships the fellows have agreed to settle the entire account for $3,500.00 if payment can be made within thirty days.

Please call upon receipt of this letter.

With very kind regards, I am

Yours very truly,

MCKISSICK & BURT

F. B. McKissick

FBMcK:sal

CC: Mr. Marvin Rich

Recd 5/27/65

FAITH A. SEIDENBERG
ATTORNEY AT LAW

471-8984

217A. STATE TOWER BUILDING
SYRACUSE, N. Y.

May 25, 1965

Mr. Marvin Rich
Scholarship, Educational and Def. Fund, Inc.
c/o CORE Office
38 Park Row
New York 38, N. Y.

Dear Marv:

I am writing to you to apply for funds to cover my legal expenses. I don't know if this is the correct way to do this but it is the only way I could think of to begin.

As you may know, I have had thirty-eight people here arrested for CORE. I will be transferring thirty-two of them to Federal Court and trying the other six. So far, my legal expenses have not been heavy but they have been steadily increasing. There are bills for minutes piling up, as well as bills for making photostatic copies of the thirty-two informations, and there will be filing fees for Federal Court, etc. I am, therefore requesting about $200. to cover some of this.

I realize that your financial position is not one of the best. If it were, I would be requesting considerable more money, but I do want to point out that there is at least $100. sitting in your fund earmarked for Syracuse and perhaps some of this might be utilized.

Please let me know one way or the other as to whether you can help. Of course, if you can't, I will just send everybody to jail. Best regards.

Sincerely,

Faith

Faith A. Seidenberg

June 1, 1965

Mrs. Faith A. Seidenberg
217 A. State Tower Building
Syracuse, New York

Dear Faith:

I am enclosing a copy of the memo prepared by our tax attorneys guiding our expenditures in the legal field. If your expenditures fit within this framework, then we are legally able to pay them.

As an administrative matter, we would like you to send them to Carl Rachlin and have him request the payment from us. We would certainly make immediate payment of $100 already earmarked from Syracuse. While money is tight, we can pay a little more as well.

Don't send everybody to jail. On the other hand, it might be better if a few had that experience.

Cordially,

Marv

MR:hm
Enclosure

cc: Mr. Carl Rachlin

Legal reporter service on civil liberties, due process, and civil rights

CIVIL LIBERTIES DOCKET

Published four times each year by the National Lawyers Guild

OSMOND K. FRAENKEL, Chairman of DOCKET Board
ANN FAGAN GINGER, Editor

1715 Francisco Street
Berkeley, California 94703
THornwall 9-1338

OK
M.R.
Legal

July 13, 1965

RECEIVED
JUL 16 1965
CORE SEDF

Marvin Rich, Exec. Dir.
CORE SEDF
150 Nassau St.
New York 38, N.Y.

Dear Mr. Rich:

In June, 1964, Jules Zalon, of Schiffer and Cohen, called me from New York to find out whether he could obtain a complete set of the DOCKET for immediate use in some CORE litigation his firm was handling. In order to send him a complete file (volume I thru volume IX), it was necessary to have several old issues xeroxed.

At his request, I sent volumes one through nine airmail in June 1964, and billed him $98.53. I also sent him one copy of the CIVIL RIGHTS HANDBOOK, which he ordered, and billed him $10.

Some time later, Mr. Zalon indicated that the bill should have been sent to CORE, which would make payment. The bill was sent to CORE, but it has never been paid.

We would appreciate it very much if you could make prompt payment of $108.53. Since we sell our publications at less than cost, it is particularly urgent that we receive payment in full on the rates we charge. And we face special problems at the moment due to the great increase in litigation in the recent period, which cost us more to report and publish.

Thank you,
Ann Fagan Ginger
Editor

July 20, 1965

Miss Ann Fagan Ginger, Editor
Civil Liberties Docket
1715 Francisco Street
Berkeley, California 94703

Dear Miss Ginger:

I am terribly embarrassed about the bill Jules Zalon run up with you. Our check for $108.53 is enclosed. If we had known of this obligation, we would have paid it promptly.

I do hope that this will not happen again.

Sincerely yours,

Marvin Rich
Executive Director

MR:hm
Enclosure

cc: Carl Rachlin, Esq.

Carl: Do we have the volumes of the Civil Liberties Docket in our possession. Now that we paid them, we really ought to have them.

Marv

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

Bills

L. H. ROSENTHAL
ATTORNEY AND COUNSELLOR AT LAW
221 NORTH PRESIDENT STREET
JACKSON, MISSISSIPPI

353-8143 939-1643

August 11, 1964

[illegible] put this in file

AUG 14 1964

Carl Rachlin
38 Park Row
New York 38, New York

Re: State of Mississippi vs.
C. O. Chinn

Dear Sir:

I received yor check for $250.00 mailed by you on July 13th, 1964.

As I stated in my letter to you dated May 14, 1964 my fee would be $10.00 an hour for work done in the actual furtherance of this case. Based on your telephone conversation with me I did the following work on this case, I would have continued but was requested to Halt the work by the LCDC attornys due to the fact that they considered that everything possible had been done. What I had previously reported to you.

DATE	TIME WORKED	TYPE WORK	HOURS WORKED
5/22/64	3:30-4:30	*Motion to Reinstate Appeal	1
5/29/64	10:30-2:00 2:45-5:00	Motion to Reinstate Appeal	5 3/4
6/3/64	11:15-2:25	Amend Motion to Reinstate Appeal	3 1/4
6/8/64	9:00-1:00	Hearing Motion to Reinstate Appeal	1
6/15/64	1:00-2:00	Writ of Habeas Corpus	1
6/21/64	9:00-10:15	Conference with LCDC Attorneys	1 1/4
			13 1/4

*Mississippi Supreme Court No. 43,017 decided June 8, 1964.

L. H. ROSENTHAL
ATTORNEY AND COUNSELLOR AT LAW
221 NORTH PRESIDENT STREET
JACKSON, MISSISSIPPI

353-8143

939-1643

Carl Rachlin
August 11, 1964
Page Two

Based upon this time spent working on this case and upon the previously agree upon rate I now bill you for $132.50.

With best personal regards, I am,

Yours truly,

L. H. Rosenthal

LR/fr

KARPATKIN, OHRENSTEIN & KARPATKIN
COUNSELORS AT LAW

MARVIN MOSES KARPATKIN
MANFRED OHRENSTEIN
RHODA HENDRICK KARPATKIN

660 MADISON AVENUE
NEW YORK 21, N. Y.
TEMPLETON 2-9600
CABLE "KARPOLAW NEWYORK"

[illegible] 1964

October 16, 1964

Carl Rachlin, Esq.
Congress of Racial Equality
38 Park Row
New York, New York

Re: North Side State Bank v. CORE
(Tulsa case)

Dear Carl:

I enclose copies of various letters which are self-explanatory. Your ideas and comments would, of course, be welcome, but action by you is called for only as follows:

(1) Obtaining a good local lawyer in Tulsa to represent CORE. The Ungermans sound fine and I would like your authorization to get in touch with them via Mrs. Dickeson so that they can follow up on this case and whatever else is necessary.

(2) Arranging payment for my expenses on this trip as follows:

Air travel-New Orleans to Tulsa (As you know, New York to New Orleans was otherwise taken care of.)	$59.48
Motel	9.89
Miscellaenous	7.50
In addition, I have several long-distance calls concerning this case which were not made on the CORE credit-card. These amount to	15.00
	$91.87

Regards,

Marvin Moses Karpatkin

MMK:abm
Enclosures

12/7/64

one other legal
~~two~~ bill~~s~~ to be paid today –

check to

Edward Thompson Company
399 Gold Street
Brooklyn, NY 11201

$8.32 for book –
Federal Rules of Civil Procedure
1962 pamphlet
legal defense

in payment of bill dated Mar. 24 8/65
purchased by COFO Legal Dept.

CHARLES R. OLDHAM
ATTORNEY AT LAW
706 CHESTNUT - ROOM 326
ST. LOUIS, MISSOURI 63101
CENTRAL 1-0464

11 February 1965

Mrs. Ann Singer,
Executive Secretary
CORE Scholarship, Education
and Defense Fund
150 Nassau
New York 38, New York

In re Jefferson Bank and Trust Co.
vs. CORE

Dear Mrs. Singer:

I am one of the attorneys representing some 15 persons who were arrested and convicted of contempt of court because of demonstrations at the Jefferson Bank and Trust Company in September and October of 1963. At the present time, applications for writs of Habeas Corpus are pending in the U. S. District Court for 8 of the 15. Applications for writs of Habeas Corpus were denied to 7 of these individuals and an appeal was taken to the U. S. District Court of Appeals. It is anticipated that the pending applications for writs of Habeas Corpus will also be denied and that appeals must be taken in their cases.

The Habeas Corpus actions are consolidated in 3 cases involving incidents on different dates. The first group has 5 individuals, the second group has 7 and the third has 3. Because of the fact that the cases are being handled in groups, we are required to make only one appeal bond for each group. The appeal bonds are $250.00 each, making a total of $750.00. Application is hereby made to the CORE Scholarship, Education and Defense Fund for the sum of $750.00 to be deposited as cash appeal bonds and any money not consumed in court costs would be returned to the Defense Fund.

I am sending a carbon copy of this letter to Carl Rachlin and you may contact him for further details in this case.

Very truly yours,

Charles R Oldham

Charles R. Oldham

CRO/m

From the desk of

MARVIN KARPATKIN

3/10/65

SEDF

MAR 1 1 1965

Dear Marvin:

Thanks so much for taking care of these three outstanding items. All that remains now is the balance due to me personally on my September trip to Tulsa, which amounts to $32.39, in accordance with my letter to Carl of October 16, 1964 ($91.87 less $59.48 air travel, which you have just paid).

Kindest regards.

Cordially,

Marv

KARPATKIN, OHRENSTEIN & KARPATKIN
COUNSELORS AT LAW

MARVIN MOSES KARPATKIN
MANFRED OHRENSTEIN
RHODA HENDRICK KARPATKIN

660 MADISON AVENUE
NEW YORK 21, N. Y.
TEMPLETON 2-9600
CABLE "KARPOLAW NEWYORK"

COPY

March 10, 1965

Herbert W. Wright, Esq.
521 Beacon Building
Tulsa 3, Oklahoma

Re: North Side State Bank v. CORE

Dear Herb:

I enclose herewith CORE's check #327 dated March 4, 1965, payable to the order of the Clerk of the Supreme Court of Oklahoma, in the amount of $25. This is intended as the filing fee for the Case Made in this case. Archibald Hill, Esq., our colleague in Oklahoma to whom a copy of this letter is being sent, has told us that he would be kind enough to take care of the actual filing, so please mail the Case Made and the check to him at the address indicated.

I trust we will have sixty days from the date of filing to get our brief filed. Could either you or Arch please advise me of the exact date on which it was filed.

As you can see from the enclosed copy of my letter, we are also paying Mrs. Garn Gordon's outstanding bill.

Thanks for everything. I hope to see you in either Tulsa or Oklahoma City when I come there for the argument.

Yours sincerely,

Marvin M. Karpatkin

MMK:eb
Enc.
cc: Archibald Hill, Esq.
Dowell Building
407 N. Durland
Oklahoma City 4, Oklahoma

bc: Marvin Rich, Esq.

KARPATKIN, OHRENSTEIN & KARPATKIN
COUNSELORS AT LAW

MARVIN MOSES KARPATKIN
MANFRED OHRENSTEIN
RHODA HENDRICK KARPATKIN

660 MADISON AVENUE
NEW YORK 21, N. Y.
TEmpleton 2-9600
CABLE "KARPOLAW NEWYORK"

COPY

March 10, 1965

Mrs. Beverly Spiegel
Coronet Travel Agency
30 West 47 Street
New York 36, N. Y.

Re: North Side State Bank
V. Congress of Racial Equality

Dear Beverly:

I am pleased to enclose CORE's check #328 dated March 4, 1965, payable to the order of Coronet Travel Agency in the amount of $59.48, in payment of the balance of your outstanding bill.

Thank you so much for your patience.

Kindest regards.

Cordially,

Marvin M. Karpatkin

MMK:eb
Enc.
bc: Marvin Rich, Esq.

CORE Legal Department - Urgent bail and printing bills 3/17/65

1. $420.00 Bonds furnished in W. Feliciana Parish and Jonesboro, La.

F.A. Morgan Bonding Service
130 St. Louis Street
Baton Rouge, Louisiana
Att.: Mr. Vernon Raborn, Mgr.

2. $112.00 Sprowal school case - trascript prepared by Al Gonzalez

Payable to: Lloyd McAulay, Esq.
Kenyon & Kenyon
165 Broadway
New York, N.Y.
(He already paid Gonzalez)

3. $100.00 Sprowal school case

Frederick Weinberg (court stenographer
2 Grace Court
Brooklyn 1, N.Y.

In your letter to him ask him please to forward the transcript to Lloyd McAulay as quickly as possible.

4. $ 46.00 ~~Max~~ People vs. Howard Epstein

Max Tussman
138-42 90th Avenue
Jamaica, N.Y. 11435

plus $10 Sent
4/7/65 -

5. $ 25.00 People vs. Howard Epstein

Sylvia Noveck
98-01 67th Avenue
Forest Hills, N.Y. 11374

6. $100.00 William R. Lewis Sklar case
112-25 34th Ave., Apt. 5G
Corona, L.I., N.Y.

7. $ 30.00 Joseph L. DiMatteo Sklar case
69-39 213th St.
Bayside 64, N.Y.

8. $230.00 John J. McSherry Sklar case
~~2~~ 28 Fiesta Drive
Centereach, L.I., N.Y.

$1,063

Please, in your letter, ask 6, 7 and 8 to send the transcript as quickly as possible to the attorney:

John M. Burns
One Wall Street
New York City
(original bills are at George Schiffer's office)

Case is
Northside State Bank vs
CORE
in Tulsa

March 19, 1965

Marvin Karpatkin, Esq.
Karpatkin, Ohrenstein & Karpatkin
660 Madison Avenue
New York 21, New York

Dear Mr. Karpatkin:

Enclosed please find checkiin the amount of $32.39 in payment of expenses incurred during your September trip to Tulsa.

Sincerely yours,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

before $32.39
paid for him -
$96.65 to Mrs Carr Gordon
Shorthand reporter
25.00 filing fee Supreme Court
of Oklahoma

$59.48 Coronet Travel Agency
for travel to Oklahom

March 19, 1965

Lloyd McAulay, Esq.
Kenyon & Kenyon
165 Broadway
New York, New York

Dear Mr. McAulay:

Enclosed please find check in the amount of $112.00 representing payment for services rendered on the Sprowal school case.

Thank you.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

March 19, 1965

F.A. Morgan Bonding Service
130 St. Louis Street
Baton Rouge, Louisiana

Attention: Mr. Vernon Raborn, Mgr.

Dear Mr. Raborn:

Enclosed please find check in the amount of $420.00 to cover bonds furnished in W. Feliciana Parish and Jonesboro, La.

Thank you.

Sincerely yours,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

LAW OFFICES OF
KENYON & KENYON
165 BROADWAY
NEW YORK, N.Y. 10006

THEODORE S. KENYON
W. HOUSTON KENYON, JR.
RICHARD K. PARSELL
RALPH L. CHAPPELL
MALVIN R. MANDELBAUM
CHARLES B. SPENCER
JOHN A. REILLY
FRANCIS T. CARR
HUGH A. CHAPIN
JAMES H. CALLAHAN
RICHARD A. HUETTNER
THOMAS M. MARSHALL
EDWARD W. GREASON
WILLIAM T. BOLAND, JR.
ROBERT D. FIER

THEODORE ORDMAN
CHARLES R. BRAINARD
LLOYD McAULAY
KENNETH E. MADSEN
RICHARD L. MAYER
JOHN Q. McQUILLAN
RICHARD L. CANNADAY
WILLIAM F. NOVAL
WILLIAM J. UNGVARSKY
LOUIS F. KREEK, JR.
ROGER W. ROBINSON
EDWARD J. HANDLER III

PATENTS
TRADE-MARKS

CABLE ADDRESS "AMAXIA" NEWYORK

TELEPHONE WORTH 4-7030

FREDERICK BACHMAN
OF COUNSEL

GEORGE T. BEAN (1937-1959)
DOUGLAS H. KENYON (1924-1964)

March 23, 1965

Mrs. Monroe S. Singer, Administrator
CORE Scholarship, Education and Defense Fund, Inc.
150 Nassau Street, Room 1312
New York, N. Y. 10038

Dear Mrs. Singer:

This is to acknowledge receipt of your check in the amount of $112.00. Your letter indicated that there may be some misconception concerning the allocation of this $112.00. The $112.00 is not for "services", as I use the term, but rather is repayment to me for a disbursement I made to a court reporter for a transcript in the Sprowal case.

I enclose a copy of the court reporter's receipt.

Very truly yours,

Lloyd McAulay

Lloyd McAulay

Enclosure

3/24/65

re Conversation
with Marvin Rich

$500 to
Franklin ~~Ac~~
Anderson
(Chairman,
Metropolitan
Civil Liberties Defense
Committee)
for back legal bills -
send it to Anderson
at George Schiffer's
office address

March 29, 1965

Mr. James Sharp, Jr.
P.O. Box 271
105 N. 23rd Street
Monroe, Louisiana

Dear Mr. Sharp:

Enclosed please find check in the amount of $50.00 representing payment of bill submitted to Collins, Douglas & Elie, November 27, 1964 for fee and mileage for sentence in swimming pool cases.

Please forgive the delay.

Sincerely yours,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

public accommodations test case –

March 29, 1965

L. H. Rosenthal, Esq.
221 North President Street
Jackson, Mississippi

Dear Mr. Rosenthal:

Enclosed please find check in the amount of $132.50 representing payment for services rendered in the case of the State of Mississippi vs. C.O. Chinn as per your communication with Carl Rachlin of August 11, 1964.

Please forgive the delay.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

March 30, 1965

Squadron, Alter & Weinrib
32 East 57th Street
New York, N.Y. 10022

Re: People v. Penn

Gentlemen:

Enclosed please find check in the amount of $150.00 representing payment for out-of-pocket disbursements on account of People vs Penn.

Please forgive the delay.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

March 30, 1965

Mr. Paul Chevigny
Harlem Neighborhood Project
200 West 135th Street
Room 114
New York, New York

Dear Mr. Chevigny:

Enclosed please find check in the amount of $21.35 representing payment for your train fare expenses for Washington trip in connection with Cox v. Louisiana as per your communication with Carl Rachlin of April 17, 1964. Please forgive the delay.

Sincerely yours,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

B. Elton Cox - case went to U.S. Supreme Court and was won — involved right to demonstrate peacefully — —

March 31, 1965

William R. Lewis
Official Court Reporter
11225 34th Avenue, Apt. 5G
Corona 68, L.I., N.Y.

Core Scholarship, Education and Defense Fund, Inc.
150 Nassau Street, Room 1312
New York, N.Y. 10038

Attention: Mrs. Martha Ann Singer

Re: Transcript of the testimony in the case of the People of the State of New York versus Eugene Sklar, defendant, Docket No. 1341, held before Hon. George J. Balbach, Judge, Criminal Court of the City of New York, Part 3, Queens Boulevard, Kew Gardens 15, N.Y., on September 3, 1964.

Actual Fee: $174.00.
Fee Charged and received: $100.00.

Transcript sent to John M. Burns, III, Esq. consisting of one original and 5 carbon copies for appeal purposes.

William R. Lewis
William R. Lewis

XXXXXXXXXXXXXXXXXXXXXXXXXXX 150 Nassau St., Rm. 1312
XXXXXXXXXXXXXXXXX New York 38, N.Y.

April 1, 1965

Mr. Franklin Anderson
Chairman
Metropolitan Civil Liberties Defense Committee
40 East 49th Street
New York, New York

Dear Franklin:

This letter is being sent to you to clarify my intentions as to the relationship between CORE Scholarship, Education and Defense Fund and the Metropolitan Civil Liberties Defense Committee. At the last meeting of the Board of SEDF a quorum was not present and therefore it was not possible to get formal ratification of these proposals. It is my intention, however, to bring this before the Board at the next meeting.

CORE SEDF will make a grant of $1000 ($500 already given to the Metropolitan Civil Liberties Defense Committee will be considered a portion of the initial grant of $1000 to the Metropolitan Civil Liberties Defense Committee). It will match contributions made to the Civil Liberties Defense Committee from other sources up to a total of an additional $1500. CORE SEDF will provide the CLDC with at least $1000 and a maximum of $2500 this year.

CORE SEDF would not allocate in any way the money provided. It would require, however, an accounting of the monies and a certification that they were spent for legal expenses incurred in the defense of civil rights and civil liberties.

Sincerely yours,

Marvin Rich
Executive Director

lu
cc: George Wiley
Carl Rachlin

DUE (JOHN)

5 Forsyth St., N.W.
Atlanta 3, Ga.

April 3, 1964

APR 6 1964

Dear Carl Rachlin,

I had been waiting for you to call and it was pleasant speaking to you. I send you a statement which shows a balance of $206.48 from what you sent March 19, 1964. Wiley Branton xxxxx sent you today or yesterday those expenses incurred which are personal rahter than legal. Of the Statement I have inclosed, L/A directly relate to legal advances made by Lois, myself, and COFO treasury which were necessary of filing the case, marschall costs for serving the subpoenas and summons, xxxx witness costs, perediem and travel. Receipts, cancelled checks, and a more detailed xxxxxx break down are enclosed in the Lois Chaffee file which she has in Jackson. In the enclosed statement, I included the flight costs from New Orleans to Tallahsssee.

I therefore have $206.48 on hand which I am willing to keep for use for any purpose you may want me, or put it in the account "Mississppi Legal Defesne Fund" here in Atlanta, or in Jackson in Dave's name, or some other other trust account, or send it back to you.

Since you didn't get me to go to Atlanta, I s all go ahead and finish the CHINN case. I am waiting for the Canton people to send me the 5's statemtn(All I have now is contradictory statments).I called Txxxx Thursday and they said they have been busy but would sent them to me by Saturday. Trials are set for June according to the bonds.

Frank O'Neil of Tallahassee Core called me and said they had several people arrested sitting-in Txx Thursday, they have xxx pleaded "not-guilty" at an arraignement without an attorney and are going to be tried Thursday. They have not been able to get hold of Herb Heiken or Toby. I told them I would go ahead and draw up a petition of removal and habeus Corpus(two are still in jail to prove the Federal issue), but I informed them to still try to get hold of Heiken because I have sent him my only complete copy of the Lois Chafee case.

yours truly,

John

John

P.S. - If they dont Have ~~to~~ ~~f~~ time to file the injuntion before Thursday, I would mail a removal petition or Better yet - mail a Lois Chaffee thing in "simple" form?

P.S. !!!

Wiley just told me that, for Monday he may send me on a field trip to either Greenville or Jacksonville, so I might not be able to go down to Tallahassee.

SEDF

CHARLES R. OLDHAM
ATTORNEY AT LAW
706 CHESTNUT - ROOM 326
ST. LOUIS, MISSOURI 63101
CENTRAL 1-0464

April 5, 1965

Mr. Carl Rachlin
General Counsel of CORE
38 Park Row
New York 38, New York

Re: Jefferson Bank Appeals

Dear Carl:

The Federal District Court issued its order April 1, 1965 denying the applications for writs of habeas corpus in the case of Robert B. Curtis, et al and Michela Grand et al. I have filed applications for Certificates of Probable Cause and expect that they will be granted shortly. Thereafter it will be necessary to file an appeal to the United States Court of Appeals for the Eighth Circuit. On the filing of the appeals I am required to post bond in the sum of $250.00 for each group or a total of $500.00. Cash bond already has been posted for $250.00 for the other group.

Since we are very short of money I had hoped that the Legal Defense Fund would approve my application of recent date werein I requested a total of $750.00. Please advise me immediately if there is any possibility of obtaining this money. If not something will have to be done at this end to try and get the necessary funds. I believe that this is all we will need at the present time, however, if the matter must go to the Supreme Court then we will need another four or five thousand dollars. God forbid.

May I hear from you immediately concerning the prospect of obtaining the needed $500.00 and the requested $750.00..

Very truly yours

Charles R. Oldham

CRO:vm

xxxxxxxxxxxxxxxxxxxxxxxxxxx 150 Nassau St., Rm. 1312
xxxxxxxxxxxxxxxxx New York, N.Y. 10038

April 9, 1965

Charles R. Oldham, Esq.
706 Chestnut - Room 326
St. Louis, Missouri 63101

Dear Mr. Oldham:

Enclosed is a check in the amount of $750.00 to be used for appeal bonds in the case of Jefferson Bank and Trust Co. vs. CORE, as per your letter of 11 February 1965.

Please excuse the delay.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
—
BEEKMAN 3-7990

October 7, 1964

Carl Rachlin, Esq.
C/O Congress of Racial Equality
38 Park Row
New York, New York

Dear Carl:

Enclosed with this statement please find copies of invoices and bills representing debts incurred by me and/or monies laid out up to the present time in connection with Core Court cases that I am handling:

Stenographic services to "Bar Association and Stenographers Service"	Total bills to date $660.59
U. S. Circuit Court of Appeals Filing fees and copies of Orders	$263.00 of which $250.00 has been paid by National CORE
United States District Court Eastern District of New York, Filing fees and copies of Notices of Appeal	$149.00 of which $105.00 has been contributed by friends of CORE
United States District Court Southern District of New York, Filing fees - $60.00	$45.00 of which has been paid by members or branches of CORE, hence petition invoices are not enclosed herewith.
Court Reporters	$63.25 of which $30.00 has been paid by individual CORE members.
Stenographic services to private Secretary	$100.00 of which $50.00 was contributed by friends of CORE. Invoices not included.

Carl Rachlin, Esq.
Page Two
October 7, 1964

Total debts incurred or sums advanced to date -	$1,313.34
Total sums contributed and/or paid by National CORE, Friends of CORE or CORE members and branches-	480.00
Balance due to date	833.34 —

Pd 1/6/66 Ck# 384

There are numerous items, exact amounts unknown which I think could fairly be estimated at another $50.00 out-of-pocket expenses.

If this work is to continue, the above enumerated expenses must be paid to me immediately.

As you know, an immense amount of work is represented in these figures which goes far beyond any ordinary contribution by an attorney. I trust that some means may be found for making some payments for services rendered.

Very truly yours,

JOHN E. SILVERBERG

JES/kc

Ck# 384

Ted Bell

MEMORANDUM

TO: All Office Personnel

FROM: Edwin Day, Business Manager

SUBJECT: Routing of all Invoices and Bills

DATE: February 9, 1965

All invoices and bills should be directed to Bookkeeping (Eartha Quintano) upon receipt in this office.

This should apply even when the bills cannot or should not be paid immediately. It is necessary for us to keep an accurate ledger of all accounts payable. If you presently have any bills of which Bookkeeping might not be aware, please send them to Eartha immediately. If it is necessary for you to have a copy of a bill, thermofax it and send the original to bookkeeping.

ED/mt

mR

FAITH A. SEIDENBERG
ATTORNEY AT LAW
—
471-8984

217A. STATE TOWER BUILDING
SYRACUSE, N. Y. 13202

3,5

NOV 17 1965

November 16, 1965

Mr. Carl Rachlin
General Counsel
CORE Office
38 Park Row
New York, N. Y.

Dear Carl:

Attached please find list, in part, of expenses which I incurred in the CORE-Niagara Mohawk cases.

How are you? I for one am enjoying the "calm after the storm." Best regards.

Sincerely,

Faith

Faith A. Seidenberg

s/z
encl.

Pd 12/1/65
ck #175

D. Miller transcript	$ 2.20
Copying	1.53
Dr. Fox et al arraign. minutes	5.00
Rutledge et al " "	4.00
Copying	13.77
L. Wright arraignment minutes	.80
Removal filing fee	15.00
To R. Bussoff, Utica trip for filing removal papers	5.00
Copying	2.40
C. Goldsmith arraign. minutes	1.50
Appeal filing fee	5.00
Copying	1.94
Postage	2.34
Rutledge minutes, trial	13.50
D. Miller trial minutes	22.00
F. Britton trial minutes	23.50
R. Knapp " "	70.00
	$189.48

NOV 22 1965

Law Offices
Bunis and Frank

Richard Frank
Morton S. Bunis

32 Broadway
New York, N.Y. 10004

HAnover 5-6340

November 19, 1965

Carl Rachlin, Esq.
38 Park Row
New York, New York

RE: EDWIN DAY

Dear Mr. Rachlin:

At the suggestion of Henry Schwarzschild, I am enclosing photostatic copies of the expenses incurred by me in making the necessary trips to Syracuse, New York while representing Mr. Day. Mr. Schwarzschild indicated that reimbursement for these expenses will be obtained through your office.

In addition to the enclosed, there were additional expenses in the sum of approximately $20.00 to cover meals and telephone calls. There will be an additional airline expense of $37.59 involved on the date of Sentence which will be sometime in the future.

I would appreciate receiving your check in this matter as quickly as possible.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

BUNIS & FRANK

BY: Richard Frank

rf/cf/ Enclosures

3. Bills SEDF could pay legally, but won't pay now for other reasons:

Retainers

Floyd McKissick - July - December, 1964	1,500.00
Collins, Douglas & Elie - July - December, 1964	2,400.00
	3,900.00

4. Bills SEDF cannot legally pay:

John Silverberg	833.34
Kunstler - Lowry case	318.49
Tobias Simon	500.00
Clarence Malone - State v. Fox	1,476.00
Car rental - Louisiana - Ronnie Moore	176.45

5. Bills from this list already paid or being paid via other sources:

Jack Meyer - World's Fair - bail bonds (CORE paying at rate of $200 a week)	3,510.00
Bankers Fire & Casualty - Chapel Hill (CORE paying at the rate of $50 per month)	2,500.00
Murphy Bell	349.50
(paid by CORE)	250.00
LCDC (Wechsler case) (paid by NAACP Legal Defense)	85.00
Floyd McKissick Chapel Hill appeals (paid by CORE)	224.25
Voter Education project - John Due work in n. Florida (part paid earlier by SEDF through Lois Chaffee case and part being paid by CORE)	304.45
Civil Rights Handbook - Literature (probably paid by now - Hannie will check)	108.53
American Bar Association membership for Carl Rachlin (paid via SEDF Legal Conference grant money)	36.00

a national organization with affiliated local groups working

CONGRESS OF RACIAL EQUALITY
CORE

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

James Farmer
national director
Dr. George A. Wiley
associate national director

ADVISORY COMMITTEE
Ralph Abernathy
James Baldwin
Roger N. Baldwin
Katrina M. Barnes
Algernon D. Black
James B. Carey
Allan Knight Chalmers
Grenville Clark
John Cogley
Earl B. Dickerson
Eugene E. Frazier
Harold Gibbons
Roland B. Gittelsohn
Sidney Hollander
George M. Houser
E. Stanley Jones
Bishop F. D. Jordan
Martin Luther King
Douglas Levin
David Livingston
Will Maslow
A. J. Muste
Dorothy Norman
A. Philip Randolph
Ira DeA. Reid
Walter P. Reuther
Hodson R. Reynolds
Jackie Robinson
Arnold M. Rose
Fred M.Shutlesworth
Lillian Smith
C. K. Steele
Gardner Taylor
Howard Thurman
Bishop W. J. Walls
Goodwin Watson
Joseph Willen
Jerry Wurf
Charles S. Zimmerman

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Richard Haley
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Carl Rachlin, Esq.
general counsel
Alan Gartner
fund raising director
James Peck
CORElator editor

RECEIVED
NOV 26 1965
CORE SEDF

OK
M.R.

November 23, 1965

Mr. Marvin Rich
Executive Director
CORE SEDF
150 Nassau Street
Rm. 1312'
New York, New York 10038

Dear Marvin:

I enclose a copy of the expenses incurred by Richard Frank who very kindly consented to represent Ed Day in the Niagara-Mohawk demonstration cases. This was important, because as you know, Ed Day had been charged with four felonies. Syracuse has been an area where it is very difficult to obtain legal assistance beyond the work of our faithful volunteer, Mrs. Seidenberg.

Mr. Frank advises me that in addition to the bills I enclose there will be one more round trip, totaling $37.59 and long distance telephone calles and some meal expenses of approximately $20.00. The bills enclosed represent two round trips plus two hotel bills which I enclose for your records.

Regards,

Pd Ck #182
12/16

Sincerely,

Carl

CARL RACHLIN
General Counsel

CR/cs
Enc.

cc: Messrs. Wiley, Day
Richard Frank, Esq.

a national organization with affiliated local groups working

CONGRESS OF
CORE
RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

James Farmer
national director
Dr. George A. Wiley
associate national director

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Carl Rachlin, Esq.
general counsel
Alan Gartner
fund raising director
James Peck
CORElator editor

November 23, 1965

Mr. Marvin Rich
CORE SEDF
150 Nassau Street
Rm. 1312
New York, New York

Dear Marvin:

Enclosed is a record of expenses itemized by Faith Seidenberg of Syracuse for legal defenses in the Syracuse area. I recommend that these be paid. I am sure that Faith has forgotten other expenses that she did not include.

It is our current intention to appeal at least some and perhaps almost all of the Syracuse cases. Faith and I have discussed this and it is our joint view that at least some must be appealed, particularly the so-called violations where Judge O'Hare convicted people despite our victory in the New York City Court of Appeals in People v. Lawson. The judge convicted several of the participants anyway on very similar facts.

Best regards,

Sincerely,

CARL RACHLIN
General Counsel

CR/cs
Enc.

72

FEDERAL 8-3700
FEDERAL 8-3711

RALPH J. TEMPLE
ATTORNEY AT LAW
1229 NINETEENTH STREET, N.W.
WASHINGTON 36, D. C.

November 24, 1965

Carl Rachlin, Esquire
General Counsel
Congress of Racial Equality
38 Park Row
New York 38, New York

Dear Carl:

This is a request for funds from CORE's legal defense fund to enable our local CORE chapter to finance a number of police misconduct cases which we are handling at the present time.

Send bill to us

1. Madison Street Case: Approximately $125. In the "Madison Street" case, we ran up expenditures of about $15 to $25 for subpoenaes in defending citizens unjustly charged with assaulting police officers. On November 16 two attorneys representing the citizens at the request of Washington, D.C. CORE won a victory when, at the conclusion of our cross examination of the police officers, the United States Attorney voluntarily dismissed the case. We are studying affirmative action against the police in this case, and we need about $100 to purchase the transcript of the abortive prosecution.

What will total costs be

2. Mills Brothers Case: $19. In our Mills brothers case, we have incurred $19 in expenses in filing a civil action against two police officers. Undoubtedly there will be additional expenses for depositions, and perhaps for the acquisition of a transcript of a police trial board proceeding in which the officers were found guilty of unlawful arrest and perjury.

3. Football Case: $13.50. We have incurred $13.50 for the acquisition of a transcript of the preliminary hearing in which a citizen was bound over to the grand jury on charges of assaulting police officers. We believe that we can successfully defend this case if the grand jury returns an indictment, and, in any event, there is a good chance that we can make a case of police misconduct.

These three cases are important -- two of them have received major publicity here in Washington -- and they are in good part responsible for mounting pressures against police misconduct.

The amounts requested above are our expenses to this point; undoubtedly there will be more expenses on these and other cases. On the other hand, we may eventually be able to repay funds advanced now if successful civil suits are brought in these cases. In the one civil suit we have filed, the Mills case, the attorney handling it is doing so on a contingent fee basis, but with the understanding that any money judgment will first be used to repay CORE for any expenses it advances.

If you want any details on these cases, I will be happy to furnish them.

Best wishes.

Sincerely,

Ralph

Ralph Temple
Washington, D.C. CORE

LAWYERS CONSTITUTIONAL DEFENSE COMMITTEE
OF
THE AMERICAN CIVIL LIBERTIES UNION
156 FIFTH AVENUE, NEW YORK, N.Y. 10010
(212) YUKON 9-7530

RECEIVED
DEC 1 1965
CORE SEDF

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Special Counsel
American Jewish Congress

VICE-PRESIDENTS
JOHN M. PRATT
Counsel, Commission on
Religion and Race
National Council of Churches

CARL RACHLIN
General Counsel
Congress of Racial Equality

SECRETARY
MELVIN L. WULF
Legal Director
American Civil Liberties Union

TREASURER
EDWIN J. LUKAS
National Affairs Director
American Jewish Committee

GENERAL COUNSEL
CLARENCE B. JONES
Counsel to the
Rev. Dr. Martin Luther King, Jr.

ROBERT L. CARTER
General Counsel
National Association for
the Advancement of Colored People

THE REV. ROBERT F. DRINAN, S.J.
Counsel
National Catholic Conference
for Interracial Justice

HOWARD MOORE, JR.
Counsel
Student Non-violent
Coordinating Committee

CHARLES MORGAN, JR.
Southern Regional Director
American Civil Liberties Union

JOHN DE J. PEMBERTON, JR.
Executive Director
American Civil Liberties Union

EXECUTIVE SECRETARY
HENRY SCHWARZSCHILD

SOUTHERN OFFICE
603 North Farish Street
Jackson, Mississippi 39202
(601) 948-4191

ALVIN J. BRONSTEIN
Staff Counsel

November 29, 1965

Mr. Marvin Rich
CORE Scholarship Education & Defense Fund
150 Nassau Street
New York, N.Y.

Dear Marv:

I enclose herewith a copy of the November 10 supplement to our case report and docket.

I call your attention especially to the South Carolina part of this supplement. This represents the continuing work on behalf of the CORE project in Dorchester County, South Carolina. As you know, the staff counsel of the New York Civil Liberties Union, Henry M. di Suvero, has been in Dorchester County repeatedly under our aegis and continues to pursue these matters.

I believe that you and Carl agreed that the CORE/SEDF might bear the cost of Mr. di Suvero's trips to South Carolina when circumstances require. I enclose herewith his bill for his most recent trip, November 26 to 28, totalling $89, which you may pay to him directly (156 Fifth Avenue, New York, N.Y. 10010). Thanks.

Cordially,

Henry

Henry Schwarzschild
Executive Secretary

HS:c
Enc.

Contributions to LCDC of ACLU are tax-deductible.

December 1, 1965

Mr. Richard Frank
Bunis and Frank
32 Broadway
New York, New York 10004

Dear Mr. Frank:

Enclosed is our check in the amount of $124.06 to cover expenses incurred as per your letter of November 19, to Carl Rachlin.

Fares to Syracuse and back to New York	$ 75.18
Hotel bills	28.88
Misc. expenses	20.00

If in future you incur any travel expense, please render a bill and payment will be made.

Sincerely,

Hope Maynard

/hm
Enclosure

December 1, 1965

1 x Chron

Mrs. Faith Seidenberg
217A State Tower Building
Syracuse, New York 13202

Dear Mrs. Seidenberg:

Enclosed is our check in the amount of $189.48 reimbursing you for expenses incurred in the CORE-Niagara Mohawk cases.

Sincerely,

Hope Maynard

/hm
Enclosure

December 6, 1965

Ralph J. Temple, Esq.
1229 Nineteenth Street, N.W.
Washington, D. C. 20036

Dear Ralph:

Please have the court stenographer send us the bill for the transcript in the Madison Street case. We will send a check directly to him and handle it in this way. Also, if you'd give me the total for the subpoenaes we would be glad to accept responsibility for this case up to this time.

On the Mills Brothers case, I would like some estimate of what total cost will be. I take it that the attorney that has accepted this on a contingency basis does not think the case good enough to pay the expenses himself. Would you write and give me some more details on this one.

On the Football case, you give me no details at all about the nature of the case, and I have to know these before we can authorize it a commitment of SEDF. How about giving me some more details.

Sincerely,

Marvin Rich
Executive Director

MR:hm

cc: Carl Rachlin, Esq.

12/8/65 — Marvin — Carl R. okayed this

CR
cc

MEMORANDUM

December 8, 1965

RECEIVED

DEC 14 1965

CORE SEDF

TO: Carl Rachlin, General Counsel
FROM: George Wiley, Associate National Director
RE: Chase Manhattan Bank case

The court record on my Chase Manhattan Bank trial cost $846. SNCC and SDS have put up sums of the order of $300 to $500, but they are still short of money and they have asked me for $36 to cover my share. Would you authorize payment of this from our legal defense budget? If so, please work it out with Marvin Rich and let me know. The check should be payable to Arthur Waskow, who has already paid for the transcript out of his own funds. It should be sent to him at the Institute for Policy Studies, 1900 Florida Avenue, N.W., Washington, D.C.

Frankly, if we could carry a little larger share, for example contribute $100 toward the court record, I think that would be desirable.

cc: Marvin Rich

$100 OK
M.R.

Pd 1/7/66
Ck #336

CORE
SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND, INC.
150 NASSAU STREET, ROOM 1312
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

December 17, 1965

Dear Marvin,

I would greatly appreciate your immediate attendance to the following bills:

Ck #284

Max Tussman ---------------------$56.00
138-42 90th Ave.
Jamaica 35, New York

Ck #285

Sylvia Noveck--------------------$25.00
98-01 67th Ave.
Queens, New York

Both~~e~~ sums are payments for ~~for~~ minutes in the case of People v. Howard Epstein, a World's Fair defendant arrested at the US Pavillion. The trial minutes are from December 11, 1964. The charge was violation of section 1851 and the stenographer was Max Tussman. Miss Noveck was the stenographer at the time of sentencing (December 16, 1964). Ralph Perlberger, 15 Park Row, is the attorney of record to whom the minutes should be transmitted. Carl is aware of and has approved the expenditure.

pd 12/20/65

Sincerely,

Steve

Stephen M. Nagler

Contributions are deductible for income tax purposes

■ president; Andrew E. Norman ■ vice presidents; William S. Ellis, Nannette Sachs ■ secretary; Ezra Levin ■ treasurer; Shelley Appleton ■ executive director; Marvin Rich ■ executive secretary; Martha Anne Singer ■ BOARD OF DIRECTORS; Adele Addison ■ John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Dr. Kenneth B. Clark ■ Charlotte Devree ■ John Henry Faulk ■ The Rev. Frederick James ■ Clarence B. Jones ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

December 20, 1965

Mr. Henry diSuvero
156 Fifth Avenue
New York, New York 10010

Dear Mr. diSuvero:

In accordance with instructions of Henry Schwarzschild of LCDC, we are enclosing our check in the amount of $89 covering expenses incurred in your South Carolina trip, November 26-28.

Sincerely,

Hope Maynard

/hm
Enclosure

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
—
BEEKMAN 3-7990

January 5, 1966

Congress of Racial Equality
Scholarship, Educational and
Defense Fund
150 Nassau Street (Room 1707)
New York, New York

Gentlemen:

Enclosed herewith, please find copy of letter sent to Carl Rachlin on October 7, 1964, requesting payment of $833.34 itemized legal expenses in defending CORE members plus $50.00 non-itemized expenses. At the time this letter was sent, copies of all itemized bills were annexed thereto.

I am again requesting payment of those expenses. Since writing that letter numerous other expenses have been incurred in connection with the successful defense of those CORE members. I am not sending the bills for those additional expenses at this time since Marvin Rich has requested that I hold off on them for the present.

However, I urgently require payment as set forth in the October 7, 1964 letter.

Very truly yours,

John E. Silverberg
JOHN E. SILVERBERG

January 7, 1966

Mr. Fred E. Weisgal
Weisgal and Albert
111 North Charles Street
Suite 604-605
Baltimore, Maryland 21201

Dear Mr. Weisgal:

Enclosed is our check in the amount of $54.33 covering your two days expense in York as per your letter of December 10, 1965 to Carl Rachlin.

Sincerely,

Hope Maynard

/hm'
Enclosure

ackd 1/21/66

Faith A. Seidenberg
ATTORNEY AT LAW
471-8984

217A. STATE TOWER BUILDING
SYRACUSE, N. Y. 13202

January 20, 1966

Mr. Marvin Rich
Executive Director
CORE Scholarship, Education & Defense Fund, Inc.
150 Nassau St.
New York, N. Y. 10038

Dear Marv:

Since you offered me all that money, which I so graciously refused, I feel I am in a good position to ask a favor of you.

Is it possible for you to send me Volumes 2, 3 and 4 of the NAACP Inc. Fund, Cases and Materials? I have Volume 1. I wouldn't ordinarily bother you for this, but I find myself still involved in doing appeals for southern, as well as northern, cases and it would be a great help to me. I know they are difficult to obtain but if anyone can get them, I am sure you can.

Sincerely,

Faith

Faith A. Seidenberg

s:z

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
BEEKMAN 3-7990

RECEIVED
FEB 8 1966
CORE SEDF

February 8, 1966

Congress of Racial Equality
Scholarship Education & Defense Fund
150 Nassau Street
Room 1707
New York, New York

Re: Expenses, World's Fair cases.
Attorney, John E. Silverberg.

Gentlemen:

I am in receipt of payment as per my letters of January 5, 1966, and October 7, 1964 for which I am most grateful.

I have had additional expenses in connection with the World's Fair cases which I now submit to you for payment.

The final bill from the Bar Association Reporting and Stenographic Services, finalized as of October 6, 1964, was $716.94 rather than $660.59 as previously reported to you. The difference is due to an additional billing of $56.35 as of October 6, 1964 under their invoice number 33211. This expense was for a supplementary memorandum in support of the appeal and I am enclosing a separate invoice showing the breakdown of that sum. The entire bill from the Bar Association has been paid by me in full.

There was a bill for $19.80, also enclosed herewith, which was not included in the letter of October 7, 1964 because of an oversight. This bill has not as yet been paid.

There was an additional bill for $49.10 from the United States Court of Appeals, dated February 18, 1965, representing preparation of all the papers below for the Supreme Court, petition for Cert. This bill was paid by me and I am enclosing a copy of same.

There was an additional bill of $100.00 from the United States Court of Appeals, dated March 12, 1965, for forty (40) copies of the opinion below which formed part of the

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
—
BEEKMAN 3-7990

second page February 8, 1966

printed petition for Cert. This bill was paid by me in full and I am enclosing a copy of same.

Because the printed petition for the Supreme Court was not finished until March 15, 1965, the final date pursuant to the stay-order as amended at our request, it was necessary for me to fly the petition to Washington at a round-trip cost of $36.00 which was paid by me. I have no documentation of this expense.

The filing fee for the petition for Cert., on March 15, 1965, was $100.00. I have no documentation. However, the filing is a matter of public record. This bill was paid by me in full.

The printing bill of the petition for Cert. from the Heckler Press was $699.80 which has been paid by me in full. Enclosed please find copy of bill.

The sum of $5.25 reported in my letter of October 7, 1964, as being due to court reporter, Peter J. Galati for Herb Calender and others in the Plumber's Union cases has been persistently overlooked by me and has not as yet been paid.

At the time that a final settlement was being negotiated with Mr. O'Connor's office, it was felt that our sincere feeling of gratitude could best be expressed by purchasing a table for one of Mr. O'Connor's campaign dinners at a cost of $500.00. Of this sum, $275.00 was reimbursed to me by friends of CORE and individual CORE members. The rest came out of my pocket.

In addition, the other expenses listed herein have been partially reimbursed as follows:

$200.00	received from Brooklyn CORE
$116.00	received from individual members of Brooklyn CORE chapter

A summary of the above which I feel is still owed to me is as follows:

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
—
BEEKMAN 3-7990

third page February 8, 1966

$50.00	out of pocket miscellaneous expenses previously set forth in the 10/7/64 letter
$56.35	Bar Association, Reporting and Steno Service
$19.80	Domo Messenger Service
$49.10	United States Circuit Court of Appeals
$100.00	United States Circuit Court of Appeals
$100.00	United States Supreme Court
$36.00	Eastern Airlines
$699.80	The Heckler Press
$225.00	Independent Citizens Committee for Beame, O'Connor and Procaccino.

pay this one

No!

TOTAL..$1,336.05
Less.....316.00-reimbursements
STILL
DUE..$1,020.05
~~225~~
795.05

~~795.05~~

795.05
699.80
95.25

I have not previously submitted this bill, as requested by Mr. Marvin Rich who has advised me of the many financial problems of the Fund.

I hope that this bill can now be paid without the long delay that I experienced with reference to the bill submitted October 7, 1964.

Very truly yours,

John E. Silverberg
JOHN E. SILVERBERG

make check to
John Silverberg
~~a~~ legal expense

JES:hrl

CORE
SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND, INC.
150 NASSAU STREET, ROOM 1707
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

John Silverberg

March 17, 1966

Mr. Marvin Rich
150 Nassau Street - Rm 1707
New York, New York 10038

Dear Marvin:

The following are my thoughts on John Silverberg's bill: (1) Every item referred to is an out-of-pocket expense so that someone ought to return them. None of them, so far as I can tell, represented a penny for John by way of payment. Many of them relate to the case of Galamaison v. New York, which of course is technically not our case, but Galamaison's. We agreed to help out; however, at the time it was felt it was important that CORE be the main organization involved in these varieties of legal matters. While I realize that John has to be reimbursed, I do resent the fact that Galamaison is not offering a nickel. The total bill is $1,336.05, and every cent of it for legitimate expenses. Of that sum, he has received back from Brooklyn CORE $200.00; and from some individuals associated with Brooklyn CORE $116.00, thus reducing the amount not paid to $1,020.05. John is frequently helpful to us on lots of matters and so I want to make certain that he be reimbursed for out-of-pocket expenses. He does take cases for us and help us in a variety of ways.

No!

My recommendation is that he be paid, but I wonder if there is not some way that we can approach the Reverend Milton Galamaison and see if we cannot get some offering for these expenses.

Sincerely,

Carl

Carl Rachlin,
General Counsel

CR:gm

Contributions are deductible for income tax purposes

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April 1, 1966

Mr. John Silverberg
15 Park Row
New York, New York 10038

Dear John:

I am pleased that we have been able to pay the $699.80 printing bill on these cases. Is I indicated to you earlier, we will not be able to pay the cost of tickets to the political dinner. This would be an improper expense for SEDF.

In the future, we will only pay bills for cases which have been cleared with Carl Rachlin in advance. We are happy to pay this one.

Cordially,

Marv Rich

MR:hm

RECEIVED

APR 13 1966

CORE SEDF

Faith A. Seidenberg
ATTORNEY AT LAW
471-8984

217A. STATE TOWER BUILDING
SYRACUSE, N.Y. 13202

April 12, 1966

Mr. Marvin Rich
Executive Director
CORE SEDF, Inc.
150 Nassau St.
New York, N. Y. 10038

Dear Marv:

It was good talking to you the other day. I am sorry we couldn't get together but, perhaps, the next time. The following is a listing of my expenses to New York to argue the Hutchinson case:

Plane fare	$31.55
Cab "	6.00
Food	10.00
Hotel	17.00
	$64.55

Sincerely,

Faith

Faith A. Seidenberg

s:z

Pd 4/26/66
Ck #273

LAW OFFICES
JACOBS & SCHLOSBERG
SUITE 440 ITT BUILDING
1707 L STREET, N. W.
WASHINGTON, D. C. 20036
296-2666

HARVEY A. JACOBS
HUBERT M. SCHLOSBERG
STEPHEN H. GALT

8730 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20910
SUITE 600 585-6856

OK

WR

April 15, 1966

Ralph J. Temple, Esquire
1229 Nineteenth Street, N. W.
Washington, D. C.

Re: U. S. A. vs. Norman
Our File 4734-P

Dear Ralph:

Pursuant to your request, our costs in connection with the trial of Michael Norman, as roughly as we can figure, are as follows:

Subpoenas and witness fees	$68.80
Transportation and parking, telephone calls, xerox copies, police report, etc.	24.80
	$93.60

Thank you for your cooperation.

Sincerely,

JACOBS & SCHLOSBERG

Hank

Hubert M. Schlosberg

HMS/bt

Ira Dickstein
2940 OCEAN PARKWAY
BROOKLYN, N. Y. 11235
PHONE: 996-5885

April 17, 1966

John E. Silverberg, Esq.
15 Park Row
New York, New York 10038

Re: People vs. Crayton, et al

Dear Sir:

Pursuant to our telephone conversation and your letter, dated April 15, 1966, requesting an estimate for a transcript in the above-entitled case, said estimate is in the sum of $650.00.

Upon receipt of one half the estimated sum, $325.00, I will immediately begin transcribing the same expeditiously.

Pd $325
4/20/66
CR #276

Very truly yours,

Ira Dickstein
Ira Dickstein,
Court Reporter.

OK
NR
APR 19 1966

JOHN E. SILVERBERG
ATTORNEY AT LAW
15 PARK ROW
NEW YORK 38, N. Y.
—
BEEKMAN 3-7990

April 18, 1966

Congress of Racial Equality
38 Park Row
New York, New York

Att: Mr. Steve Nagler

Dear Steve:

Enclosed herewith please find Mr. Dickstein's estimate.

Please get me the check for $325.00 as speedily as possible as my affidavit will state that the minutes have been ordered.

The Notice of Appeal was filed January 28, 1966.

Very truly yours,

John E. Silverberg
JOHN E. SILVERBERG

JES:hrl
enc.

April 19, 1966

Mrs. Faith Seidenberg
217A. State Tower Building
Syracuse, New York 13202

Dear Faith:

Enclosed is our check for your expenses in the Hutchinson case. I picked up another smaller contribution while in Washington, so I can pay this bill now.

As soon as I hear from you confirming the other matter I will write to Mr. Powell and arrange an appointment. I am anxious as always.

Cordially,

Marv Rich

MR:hm
Enclosure

April 20, 1966

Mr. Ira Dickstein
2940 Ocean Parkway
Brooklyn, New York 11235

Dear Mr. Dickstein:

Enclosed is our check for $325 as partial payment on your estimate of cost for transcript in People vs. Crayton, et al. I believe that John Silverberg has already spoken to you about this case.

Sincerely,

Marvin Rich
Executive Director

MR:hm
Enclosure

cc: Stephen Nagler
John Silverberg

FEDERAL 8-3700
FEDERAL 8-3711

RALPH J. TEMPLE
ATTORNEY AT LAW
1229 NINETEENTH STREET, N.W.
WASHINGTON 36, D. C.

May 13, 1966

Mr. Marvin Rich
Executive Director
Scholarship, Education, and
Defense Fund for Racial Equality
150 Nassau Street
New York, New York

Re: Michael Norman case

Dear Marvin:

Enclosed is a letter from Hank Schlosberg, the attorney who successfully defended Michael Norman at his trial last March, listing expenses of $93.60.

I would appreciate it if the Fund would recompense Hank for these expenses.

Sincerely,

Ralph

Ralph Temple

Enclosure

cc: Hubert Schlosberg, Esq.

Ck # 407
5/24/66

May 24,1966

Mr. Hubert M. Schlosberg
Jacobs and Schlosberg
1707 L Street, N.W.
Suite 440 ITT Building
Washington, D. C. 20036

Dear Mr. Schlosberg:

Enclosed is our check in the amount of $93.60 covering expenses outlined in your letter of April 15 to Ralph J. Temple, Esq. re U.S.A. vs. Norman, your file No. 4734-P.

Sincerely,

Hope Maynard

/hm
Enclosure

May 24, 1966

C. C. Malone, Jr., Esq.
336 1/2 E. Pettigrew Street
Durham, North Carolina

Dear Mr. Malone:

Enclosed is our check in the amount of $67.80 covering balance due of expenses incurred in attending the SEDF Legal Conference.

Sincerely,

Hope Maynard

/hm
Enclosure

P.S. - Our check made out for $67.80 not $67.40 as indicated in your expense report because total of travel totals $$72.46 instead of $72.06.

May 24, 1966

Mr. Alejandro Gonzalez
80 First Avenue, Apt, 1C
New York, New York

Dear Mr. Gonzalez:

Enclosed is our check in the amount of $65 to cover further costs of the minutes in the People vs. Crayton, etal.

Sincerely,

Hope Maynard

/hm
Enclosure

WEISGAL AND ALBERT
ATTORNEYS AT LAW

FRED E. WEISGAL
SIDNEY W. ALBERT
RUSSELL S. MARANTO
MORRIS LASOVER

111 NORTH CHARLES STREET
SUITE 604-605
BALTIMORE, MARYLAND 21201
SARATOGA 7-1730

JUN 13 1966

June 10, 1966

Mr. Carl Rachlin
38 Park Row
New York, N. Y.

Dear Carl:

I seems that the Marge Rogatz problem still has not been straightened out. Marge gave me $100.00 which I am using to pay for transcript of a contempt proceedings. If any further clarification is needed please let me know.

How are you coming along with my replacement for the month of July. Let me hear from you soon.

Best regards,

Freddie
Freddie
rd

FEW/rd

SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND FOR
RACIAL EQUALITY
inc.
150 NASSAU STREET, NEW YORK, N.Y. 10038
TELEPHONE 964-8210

June 13, 1966

Mr. Marvin Rich
Scholarship, Education And
Defense Fund for Racial Equality
150 Nassau Street
New York, New York 10038

Dear Marvin:

Enclosed is a statement from Fred Weisgal concerning the money spent by him for court records and loaned to him by Marge Rogatz.

I suggest that in light of his letter a check be sent to Marge Rogatz directly.

I also enclose charges for recent trip to Louisiana on school cases. All money was spent in connection with preparation of arguments.

Sincerely yours,

Carl

Carl Rachlin
General Counsel

CR/vh

Contributions are deductible for income tax purposes

■ *president;* Andrew E. Norman ■ *vice presidents;* William S. Ellis, Nannette Sachs ■ *secretary;* Ezra Levin ■ *treasurer;* Shelley Appleton ■ *executive director;* Marvin Rich ■ *leadership development director;* Ronnie M. Moore ■ *legal director;* Carl Rachlin ■ *BOARD OF DIRECTORS;* John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Canon James P. Breeden ■ Dr. Kenneth B. Clark ■ Robert Curvin ■ Charlotte Devree ■ Robert F. Drinan, S.J. ■ John Henry Faulk ■ Doris Freedman ■ Dr. Edward L. Gibson ■ Norman Hill ■ Clarence B. Jones ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

NEW YORK June 13 1966

Carl Rachlin, Esq. DR
38 Park Row
New York, New York

To ELLIS STRINGFELLOW & PATTON
COUNSELLORS AT LAW
41 EAST 42ND STREET
NEW YORK 17, N. Y.

Disbursements in connection with preparation and argument of appeal in People v. Callender.

Photostatic copies	7.00
Lunch (trip to Albany)	5.00
Dinner " " "	3.56
Loan to Steve Nagler for gas	5.00
Total	$20.56

Ck #524
6/22/66

June 16, 1966

Mr. Fred E. Weisgal
Weisgal and Albert
111 North Charles Street
Suite 604-605
Baltimore, Maryland 21201

Dear Mr. Weisgal:

Enclosed is our check for $100 for use as payment of a transcript for contempt proceedings. Please send us the complete bill when you receive it, and we will pay any balance due.

As you must understand, this is an obligation of ours to you.

Sincerely,

Marvin Rich
Executive Director

MR:hm
Enclosure

cc: Marge Rogatz
Carl Rachlin, Esq.

LAW OFFICES
JACOBS & SCHLOSBERG
SUITE 440 ITT BUILDING
1707 L STREET, N. W.
WASHINGTON, D. C. 20036
296-2666

HARVEY A. JACOBS
HUBERT M. SCHLOSBERG
STEPHEN H. GALT

8730 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20910
SUITE 600 585-6856

RECEIVED
JUN 20 1966
SEDF

June 16, 1966

Marvin Rich,
Executive Director
Scholarship Education and Defense Fund, Inc.
150 Nassau Street
Room 1707
New York, New York

Re: Michael Norman case
Our File No. 4734-P

Dear Mr. Rich:

Enclosed please find our Trust Account check in the amount of $14.95, payable to the order of S. E. D. F., in accordance with your letter under date May 2, 1966.

The S. E. D. F. check, in the amount of $455.00, for the transcript, was used to pay the respective reporters for those portions of the transcript prepared by them. Their respective bills were received and paid as follows:

1.	Raymond B. Alexander	$40.30
2.	Robert I. Henderson	48.75
3.	Jack Mahar	93.60
4.	Dorothy F. Sweet	211.25
5.	George G. Davis	46.15
	Total	$440.05
	Amount returned	14.95
		$455.00

I am enclosing copies of all bills that we received from the respective reporters. We did not receive a bill from Jack Mahar, but I am enclosing a copy of our bank statement, to the effect that he was paid out of our Trust Account on June 6, 1966, in the amount of $93.60.

The bills from court reporters Alexander and Henderson, were paid by Michael Nussbaum, Esquire, who, as you know, is handling the companion case of Cesar Day, presently pending in the Juvenile Court for the District of Columbia. I have made full reimbursement to Mr. Nussbaum for these two bills which are enclosed.

Michael Norman's assault case has been re-scheduled in the United States District Court for July 27, 1966. Cesar Day's case presently pending in the Juvenile Court, should be disposed of in the next couple of weeks, as well as the disorderly charge presently pending against Michael Norman, and which is being handled by Philip Hirschkop, Esquire.

On behalf of Michael Norman and all others who have been connected with this case, we would like to thank you and your organization for your splendid cooperation and help.

I remain

Sincerely,

JACOBS & SCHLOSBERG

Hubert m. Schlosberg

Hubert M. Schlosberg

HMS:cps
Enclosures
cc: Michael Nussbaum, Esquire

June 22, 1966

William S. Ellis, Esq.
Ellis, Stringfellow & Patton
41 East 42 Street
New York, New York 10017

Dear Mr Ellis:

Enclosed is our check in the amount of $20.56 covering various expenses in People v. Herbert Callender.

Sincerely,

Hope Maynard

/hm
Enclosure

June 23, 1966

Mr. Hubert M. Schlosberg
Jacobs and Schlosberg
Suite 440 ITT Building
1707 L Street, N.W.
Washington, D. C. 20036

Dear Mr. Schlosberg:

Thanks so much for the check for $14.95 and for the accounting of the money we sent you. It was complete and very helpful. I only wish our other lawyers did as well.

Sincerely,

Marvin Rich
Executive Director

MR:hm

cc: Carl Rachlin, Esq.
Ralph Temple, Esq.

July 18, 1966

Weisgal and Albert
One Charles Center
Suite 1110
Baltimore, Maryland 21201

Gentlemen:

Enclosed is our check in the amount of $100 covering July, 1966 expenses.

Sincerely,

Hope Maynard

hm
Enclosure

TELEPHONE 737 - 9150
CABLE ADDRESS: SURMON

SEYMOUR J. RUBIN
MONROE OPPENHEIMER
COUNSEL

LAW OFFICES
SURREY, KARASIK, GOULD AND GREENE
WOODWARD BUILDING
WASHINGTON, D. C. 20005

WALTER STERLING SURREY
MONROE KARASIK
MICHAEL GOULD
FRANCIS T. GREENE
DUMOND PECK HILL
SAMUEL V. GOEKJIAN
JOSEPH H. GUTTENTAG
GEORGE L. CHRISTOPHER
LEONARD BRAMAN

MARGUERITE P. SCHIMPFF
GILBERT C. MILLER
MICHAEL NUSSBAUM
JOHN F. CRAWFORD
ALAN ROY DYNNER
RICHARD F. GERBER

EUROPEAN OFFICE
52, AVENUE DES CHAMPS ELYSEES
PARIS 8, FRANCE
ELYSEES 10 - 31

August 15, 1966

Mr. Marvin Rich
Executive Director
Scholarship Defense & Education
Fund for Racial Equality
150 Nassau Street
New York, New York

Re: Washington Football Alley Case

Dear Mr. Rich:

Enclosed is a news clipping from last Saturday's "Washington Post" noting that the Juvenile Court has dismissed the assault on a policeman charge brought against Cesar Day. Although technically Corporation Counsel could file a new petition, I believe such a possibility is most remote.

Now that the case is closed, I would appreciate reimbursement of expenses paid by me, as well as by this firm. Ralph Temple led me to understand that you were kindly meeting some of the expenses of the football alley case.

My total out-of-pocket expenses have been $18.85 as follows:

Ck #737 - $18.85
738 - 22.10

OK
MR

8/25/66

Date	Item	Amount
May 20	Round trip taxi fare to Juvenile Court	$ 1.80
May 24	Round trip taxi fare to Juvenile Court	1.60
May 25	Round trip taxi fare to Juvenile Court	1.60
June 1	Round trip taxi fare to Juvenile Court	1.60
June 2	Dinner for secretary and Cesar Day	4.35
June 3	Round trip taxi fare to U. S. District Court	1.90
June 3	Round trip taxi fare to Juvenile Court	1.60
June 6	Round trip taxi fare to Juvenile Court	1.60
June 8	Round trip taxi fare to Juvenile Court for Cesar Day and his guardian	2.80
	Total:	$18.85

Out-of-pocket expenses of this firm:

Date	Item	Amount
June 2	Round trip taxi fare to Hank Schlosberg's office	$ 1.20
June 7	Round trip taxi fare to Congress to get juvenile delinquency hearings	2.60
June 9	Round trip taxi fare to Corporation Counsel's office	1.40
June 10	Round trip taxi fare to Hank Schlosberg's office	1.20
May 25- June 10	Xeroxing - 314 copies at $.05 per page (our cost)	15.70
	Total:	$22.10

I would appreciate a check made out to me in the amount of $18.85 and another check made out to Surrey, Karasik, Gould and Greene in the amount of $22.10.

I trust there will be no problem concerning the above expenses.

Sincerely,

Michael Nussbaum

MN:hm
Enclosure

Fannin re cases

① Chinn

Was civil rights worker in Mississippi, + convicted of carrying concealed weapon - money was for an appeal. (which was lost)

② Max Tussman

Court reporter in People v Anderson total $80 ($25 via Zalon)

Check whether we or Schiffe, paid balance - believe it is paid - $55 - how was it paid

③ Squadron -

can pay the rest which includes Moses v. Farmer which Rachlin says is a free speech case which we can pay for - plus balance in Penn

L L Legal

ACCOUNT NAME	AMOUNT	DATE
Checki & Politan, Lyndhurst, N.J.	$590.00	1/21/64
Kunstler & Kunstler NYC	215.00	2/12/64
David Bromberg, NYC	20.00	2/24/64
Lawyer's Copy Service	4.30	2/26/64
John Due, Paul O'Dwyer	224.52	3/17/64
Grosby Press, Inc. NYC	643. 70	3/17/64
F.B. McKissick, Durham, N.C.	1,305.00	4/20/64
Cabana Motel, Palo Alto, Calif.	1.45	5/5/64
Pive Nelson & Limes	1,500.00	6/18/63
Vladeck & Elias	20.70	12/27/63
Kelly Girls	16.50	9/20/63
Kunstler & Kunstler	50.00	5/27/64
Grosby Press	646.00	1/10/64
Grosby Press	75.00	1/10/64
Grosby Press	309.75	1/10/64
Vladeck & Elias	590.00	1/21/64
Murphy W. Bell	215.00	4/20/64
Voter EDUC Project	304.45	5/20/64
Squadron, Alter & Weinrib	15.60	7/21/64
Jeffry Galper	500.00	6/22/64
Jeffry Galper	50.00	
Karpatkin	10.04	6/8/64
Karpatkin	1.73	6/12/64
Oscar Adams	120.00	4/20/64
Murphy W. Bell	2,449.50	6/15/64
Tobias Simon	126.40	5/16/64
Tobias Simon	43.30	5/15/64
Squadron, Alter & Weinrib	32.00	6/22/64
Adams Press	370.00	4/10/64
Wilson & Menaker	16.75	6/22/64
Tobias Simon	154.92	6/1/64
Murray Gordon	275.00	6/4/64
Murray Gordon	98.40	6/4/64
Paul Chevigny	21.35	4/17/64
Collins, Douglas & Elie	2,965.00	5/7/64
Hecla Press - Mr. Marks, 8/10	433.60	5/29/64
United Bonding Insurance Co.	455.00	8/3/64
Nat. Car Rental System	483.18	7/8/64
New York Law Journal	10.80	7/24/64
Ambassador Travel Agency	16.00	7/30/64
Ambassador Travel Agency	32.00	8/5/64
Race Relations Law Reporter	62.00	7/14/64
Maurice Rosen	500.00	
Eastern Airlines (Carl)	219.80	7/17/64
Brad	4.60	5/14/64
Legal Expenses (Lois Chaffee)	731.04	3/17/64
Carl Rachlin (Lois Chaffee cases)	1, 564.71	
American Express (Carl)	560.22	5/7/64
American Express (Carl)	101.71	3/20/64
Hotel Bill (Carl)	102.16	

19,228.17
600.
18,688 17

Pk 9/24

MISSISSIPPI LEGAL DEFENSE FUND c/O John due, Carl Rachlin

Income		Expenses		Balance
1.Received from Carl Rachlin, March 19, 1964.	$500.00	1.March 18,1964		
		Lois ChaffeeL/A	$ 15.00	
		John DueL/A	75.00	
		COFO L/A	168.00	
		2.Gas & Oil Biloxi(Mar19)	11.00	
		3.Plane N.or toTa.	24.52	
REPORT MARCH 21.	$500.00		$ 293.52	$206.48

REPORT

5 CARL RACHLIN

MAR 20 1964

Mar 17, 18

LEGAL EXPENSES

U.S. District Court. So.Dists. Miss.
Jackson Division

Lois Chaffee, Pl. :
vs. : Civ. Action 3535(j)(m)
Paul B. Johnson, Def. :

COPY

1.	Marshall expenses: Summons and Order for individual and official expenses 10 defendants plus milage (receipt in file)	$ 126.00
2.	Clerk's filing fee	15.00
		$ 141.00
3.	Subpoena-volonteer service 14 witn. -expenses to tender perdiem and travel. (173 miles between Biloxi and Jackson) 346x $.08 plus $4 equals $31.68 for 4 hostile witnesses) COFO checks.	$ 127.52
4.	Notary fee for 14 affidavits.	$ 7.00
	total	275.52

	Less O'Dwyer Legal advance minus (Not to be repaid ?)	$ ~~71.00~~ 51.00
*	LESS LOIS CHAFFEE	15.00
*	Less John Due Legal advance (to be reapid by Carl Rachlin thru COF)	$ ~~70.00~~ 75.00
*	Less COFO Legal Advance (to be repaid by Carl Rachlin)	$127.52
	Less Service rendered by William Miller Notary.	$ 7.00
	Carl Rachlin to pay by check to COFO	~~$[illegible]~~ 224.52

141.00
275.52
15.00
75.00
224.52
731.04

W. D

1) going limp is
resisting arrest?

2) can't resist unless
you know you'll
be or are being
arrested which
apparently he
couldn't or didn't
know cause lots
of shouting, etc.

—//—

Anderson case
Kalintjis case

Alan Latman, Esq.

joined with Epstein
case on disorderly
conduct

2 Epstein cases

1) disorderly conduct
no testimony to warrant
2) resisting arrest

Opening day of
Worlds Fair -
U.S. Pavillion

Have won previous
such cases - is
appeal warranted
no facts to prove
disorderly conduct -
2d charge if won on appeal
will set imp. precedent

GEORGE SCHIFFER
ATTORNEY AT LAW

40 EAST 49TH STREET
NEW YORK, N.Y. 10017

PLAZA 2-8060

March 10, 1965

Mrs. Ann Singer
CORE SEDF
1 Union Square
New York, New York

Dear Ann:

This is to advise you that Mr. Stephen M. Nagler has replaced Jules Zalon. He will call you in the next few days to arrange the method of paying his compensation.

With best wishes.

Sincerely,

George Schiffer

March 18, 1965

Mr. Stephen M. Nagler
c/o George Schiffer
40 East 49th Street
New York, N.Y. 10017

Dear Mr. Nagler:

This is to confirm my telephone conversatimn with you this morning. It is our understanding that you were employed by Mr. George Schiffer to do civil rights legal work for the CORE Scholarship, Education and Defense Fund, and that no written or oral employment contract has as yet been made with you. We further understand that your salary is $125 per week, and that you started work last Tuesday, March 16th.

Our procedure is to pay salaries every two weeks, and we will withhold your social security taxes, federal and state taxes and New York State Disability Insurance. We will send your checks to you at Mr. Schiffer's office until you notify us of your new home address.

We did get a copy of your resume from Carl Rachlin.

We will be in touch again before long, and in the meantime hope you enjoy your work with us and find it interesting and worthwhile.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

P.S. Please return the enclosed promptly.

March 26, 1965

Mr. Stephen M. Nagler
c/o George Schiffer
40 East 49th Street
New York, N.Y. 10017

Dear Mr. Nagler:

Enclosed please find check in the amount of $182.64 representing payment for services rendered, March 16th to March 26th.

Thank you.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

xxxxxxxxxxxxxxxxxxxxxxxxxx 150 Nassau St., Rm. 1312
xxxxxxxxxxxxxxxx New York, N.Y. 10038

April 5, 1965

Mr. Stephen Nagler
c/o George Schiffer
40 East 49th Street
New York, N.Y. 10017

Dear Mr. Nagler:

Enclosed is your check in the amount of $101.17 representing payment for services rendered, March 3rd through March 15th, 1965.

Sincerely,

Martha Ann Singer, Administrator
(Mrs. Monroe S. Singer)

lu
encl.

May 5, 1965

Mr. Stephen Nagler
c/o George Schiffer
40 East 49th Street
New York, N.Y. 10017

Dear Steve:

Enclosed is your salary check in the amount of $202.34 for two weeks ending May 7th.

I found out today that you're working with Lane Perdue on the World's Fair case. She, Barbara and I worked at UNICEF together. Small world ....

Regards.

Sincerely,

lu Linda Umans
encl.

June 7, 1965

Mr. Stephen Nagler
c/o George Schiffer
40 East 49 Street
New York, New York 10017

Dear Steve:

Enclosed is a copy of the guidelines for CORE Scholarship, Education and Defense Fund attorneys. The guidelines are really quite broad. And I think it particularly important that we try to keep within them. If there is any question, please let me know.

Sincerely,

Marvin Rich

MR:hm
Enclosures

P.S. Also enclosed is your salary check in the amount of $202.34 for two weeks ending June 4.

Hope Maynard

CORE Scholarship, Education and Defense Fund, Inc.
150 Nassau Street, Room 1312
New York, New York 10038

Telephone: 964-82100

June 15, 1965

Mr. Stephen Nagler
c/o George Schiffer
40 East 49 Street
New York, New York

Dear Mr. Nagler:

Enclosed is your salary check in the amount of $202.34 for the period ending June 18.

Sincerely,

Hope Maynard

/hm
Enclosure

a national organization with affiliated local groups working

CONGRESS OF
CORE
RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

James Farmer
national director
Dr. George A. Wiley
associate national director
ADVISORY COMMITTEE
Ralph Abernathy
James Baldwin
Roger N. Baldwin
Katrina M. Barnes
Algernon D. Black
James B. Carey
Allan Knight Chalmers
Grenville Clark
John Cogley
Earl B. Dickerson
Eugene E. Frazier
Harold Gibbons
Roland B. Gittelsohn
Sidney Hollander
George M. Houser
E. Stanley Jones
Bishop F. D. Jordan
Martin Luther King
Douglas Levin
David Livingston
Will Maslow
A. J. Muste
Dorothy Norman
A. Philip Randolph
Ira DeA. Reid
Walter P. Reuther
Hodson R. Reynolds
Jackie Robinson
Arnold M. Rose
Fred M.Shutlesworth
Lillian Smith
C. K. Steele
Gardner Taylor
Howard Thurman
Bishop W. J. Walls
Goodwin Watson
Joseph Willen
Jerry Wurf
Charles S. Zimmerman
OFFICERS
Floyd B. McKissick, Esq.
chairman
Wilfred Ussery
1st vice-chairman
Lincoln Lynch
2nd vice-chairman
Ruth Turner
secretary
Bill Bradley
treasurer
STAFF
James McCain
director of organization
Richard Haley
southern regional director
Carl Rachlin, Esq.
general counsel
Alan Gartner
fund raising director
James Peck
CORElator editor

RECEIVED
NOV 15 1965
CORE SEDF

November 12, 1965

Mr. Marvin Rich
CORE SEDF
150 Nassau Street
New York, New York

Dear Marvin:

Enclosed is a bill for $338.40 for Supreme Court Reporter missing volumes and Federal Practice and Procedure with forms. The price on the latter is $70, a saving off the regular price. In addition, there is a 6% deduction for full payment, - hence, the $338.40 price instead of $360.00.

360
3 6
21,60

21.60
338.40
360

I hope you will attend to the enclosed bill at your earliest possible convenience. The check should be made out to Edward Thompson Company, and mailed in the enclosed envelope.

Thank you very much.

Cordially,

Steve

OK

SMN/cs

MR

STEPHEN M. NAGEER

Pd Ck# 162
11/17/65

72

February 3, 1966

Mr. Lou Barsky
291 Broadway
New York, New York

Dear Lou:

Here are the minutes of the hearing which I sppke to you about. I haven't had a chance to read them through yet, myself.

Please let me know what your thoughts are on the matter.

Cordially,

SMN/cs
Enc.

STEPHEN M. NAGLER

STATE OF NEW YORK
INSURANCE DEPARTMENT
123 WILLIAM STREET
NEW YORK 10038

HENRY ROOT STERN, JR.
SUPERINTENDENT OF INSURANCE

MAR 9 1966

March 7, 1966

CORE
35 Park Row
New York, New York 10038

Attention: Mr. Carl Rachlin,
General Counsel

Gentlemen:

This will have further reference to the complaint of Faith A. Seidenberg, Attorney at Law, against Anthony Amendola.

We have looked into the matter and find that Fran Freel submitted an Agreement of Indemnity, bail bond application and a Confession of Judgment in order to obtain the release of Terrance H. Freel under a bail bond issued by the Public Service Mutual Insurance Company through its agent, Anthony Amendola. The Agreement of Indemnity provides in part that, "and it is further agreed that if a confession of judgment is taken in connection with this bond, the Company shall have the right to enter and file the same at any time, and proceed thereunder at any time it deems it necessary for its own protection, to collect such sums of money as may be due it, or to put itself in funds for any possible claim either on the amount of the bond or premiums due thereunder or any expenses incurred or to be incurred including all fees and expenses for the collection of any judgment, remission or forfeiture, investigations or attempts to locate the principle, incurred by the Company or any other agents." The Agreement of Indemnity further provides in part that, "and until we shall serve upon the Company competent written legal evidence, satisfactory to the Company, of its discharge from such Bond and all liability thereunder."

Under the terms of the Agreement of Indemnity the Company has the right to file the Confession of Judgment. They do so in order to prevent the indemnitor from disposing or emcumbering the real estate during the period of the Company's liability, The Company does not consider the bond terminated until they have received a certificate from the Court indicating that the bond has been disposed of. This is because very often there is more than one charge or more than one count against a defendant and only one of the charges or counts may be disposed of. A certificate from the Court will indicate the exact disposition of the case and when such a certificate is received the Company forwards a Satisfaction of the Judgment to the indemnitor or the attorney as the case may be so that the judgment may be removed from the record. As of February 1, 1966 the Company has not received written evidence of termination from either the indemnitor, the defendant or the defendant's attorney. They had however, accepted Mr. Amendola's own affidavit as evidence that the bond had been discharged and this merely as a matter of convenience to the indemnitor.

The procedure followed by Mr. Amendola is not, in our opinion, improper but rather normal for the Bail Bond industry. The situation referred to by Miss Seidenberg does bring about a problem and in connection thereto we would be pleased to consider any suggestions you may care to submit in regard thereto which would ameliorate the question and at the same time protect the Company's interest.

Yours very truly,

HENRY ROOT STERN, JR.
Superintendent of Insurance

By:

Bernard Eisner
Examiner

BE:bk

Faith A. Seidenberg
ATTORNEY AT LAW

471-8984

217A. STATE TOWER BUILDING
SYRACUSE, N. Y. 13202

MAR 18 1966

March 16, 1966

Mr. Stephen M. Nagler
Counsel
CORE
38 Park Row
New York, N. Y. 10038

Dear Steve:

How are things at National CORE? Anything new and exciting going on? We haven't heard from you in a long time and we wondered if you have heard anything further on the Freel case.

I was quite disturbed by Judge Black's opinion in the Brown v. Louisiana case. This seems to me to bode no good for sit-ins and stand-ins.

Drop me a line.

Sincerely,

Faith

Faith A. Seidenberg

s:z

MEMORANDUM [illegible] GEORGE SCHIFFER [illegible] STREET NEW YORK, N.Y. 10017 • PLaza 2-8060

TO: GEORGE SCHIFFER **DATE:** 3/18/66

cc: Steve Nagler - CORE

RE: Court Process Service

FROM: Mike Silberberg

While cleaning out my office I ran across a yellow scratch sheet in Landlord-Tenant Court process service which indicated that JOHN DAVENPORT, who is one of the process servers who appears to have been substituted on the "OSCAR SIMMS" affidavits said that he served, according to these records, that day, November 3, 1965, beggining at 2:30 P.M. that afternoon and ending after 9:00 P.M. that evening, which was the same period of time covered by the affidavits in the OSCAR SIMMS group. I discovered this at about 4:00 P.M. and did not have a chance to go to Landlord-Tenant court to check them out. Steve Naigler has agreed, on Monday when the chief clerk is out to lunch to go to his office and make photostatic copies of all 48 affidavits and will keep them. Please tell Steve what to do with them.

MS/nm

Get Docket Nos. where
John Davenport appears -
get scratch sheet

Steve Naigler, Esq.
c/o Core
38 Park
NYC 10038

Sewer Service

JEAN CAMPER CAHN
ATTORNEY-AT-LAW
2900 M STREET, N. W.
WASHINGTON, D. C.
TEL. (202) 333-5468

APR 1 1966

March 29, 1966

Steven Nagler
c/o CORE
38 Park Row, N.Y., N.Y.

Dear Steve:

Enclosed you will find copies of hand written sheets that I kept in my office. These were done by me alone and Ray Narral didn't help me on them.

It would be interesting to see if Borah remebered to fix these too. If he didn't, I would like to see my own margin of error.

However, I suspect that if there is more than a 5% discrepency, then Borah got to them in time.

As I told you on Monday, Norma(George's latest) spoke to him long distance last week and he approved of the idea of you checking the records out and making copies of them.

When I've finished the default judgment study on the process servers, I'll send it on to George's office along with the cards which you can pick up if he wants to let them out of his sight.

I'm sorry that I didn't get a chance to call you back yesterday but I had to rush and finish up things at the office and I barely made the last shuttle back to D.C.

You can also tell Carl that Doar called me this afternoon and told me that he was recommending to Clark that the Civil Rights Division hire me so things look pretty good I think. Again, thank Carl for putting me in touch with him. And please, when youv'e checked these affidavits out and are sure that it makes the case look good, let me and Ray know for our own peace of mind!

Warm Regards,

Mike

P.S. Please invite us to the Briss

Steve Nagler
Best —
Marge F.

12

NYC REVIEW BOARD CONFERENCE
57 WEST 10th STREET
NEW YORK, N. Y. 10011

April 11,1966

TO: CONFERENCE MEMBERS

FROM: MARGE FRIEDLANDER
CONFERENCE COORDINATOR

RE: NOTICE OF BENEFIT PERFORMANCE TO RAISE FUNDS FOR THE "HARLEM SIX," A GROUP OF SIX IMPRISONED YOUTH WHOSE MURDER CONVICTIONS ALLEGEDLY REST UPON COERCED CONFESSIONS AND IMPEACHABLE TESTIMONY FROM PROSECUTION WITNESSES

I wish to especially bring to your attention that this coming Sunday, April 17, a benefit performance starring Dick Gregory,Ossie Davis, and other artists, will take place at Town Hall to raise defense funds to appeal the convictions of six Harlem Negro boys sentenced to life imprisonment for murder. Their case has become a cause celebre ,known as the "Harlem Six." The defense contends that their convictions hinged upon coerced confessions, since repudiated, and upon completely unreliable testimony from the prosecution witnesses.

The sponsor of the benefit performance, a civil rights group known as the Charter Group For A Pledge of Conscience, has retained four attorneys, including William Kunstler of our Conference, to prepare an amicus curiae brief on behalf of the youth. William Stringfellow, also of our Conference, is Spokesman for the Town Hall benefit performance.

I enclose literature describing the case of the "Harlem Six" and the April 17th benefit performance. I hope you will respond to the defense appeal to the fullest extent you can.

Yours sincerely,
Marge Friedlander
Marge Friedlander

SUGARMAN, ALBERTS, ROGERS & BARSHAK
LAW OFFICES
73 TREMONT STREET
BOSTON, MASSACHUSETTS 02108

BERTRAM A. SUGARMAN
GEORGE S. ALBERTS
SUMNER H. ROGERS
EDWARD J. BARSHAK
STEVEN J. COHEN

TELEPHONE 227-0230
AREA CODE 617

RUPERT L. MAPPLEBECK
OF COUNSEL

April 20, 1966

Mr. Stephen M. Nagler
CORE
Scholarship Education and Defense Fund Inc.
150 Nassau Street
Room 1707
New York New York 10038

Dear Mr. Nagler:

I am working on my paper and hope to have it to you around the first of May. There is no further material which you can send to me since I think I have long possessed just about every decision relevant (and most of them serve as damn little guide to the future).

I would appreciate it if you could let me know whether the conference starts on a Friday or a Saturday and what time you would want to have me there. I want to make some plans accordingly.

Sincerely,

Edward J Barshak

EJB/bm

MEMORANDUM

TO: Stephen M. Nagler

FROM: Carl Rachlin

DATE: April 25, 1966

Re: THE JONESBORO INJUNCTION

I have spoke with Irving Panzer of Washington about the Jonesboro Injunction.

1. He will send us a memo as to whether Judge Dorkins' refusal is appealable. It may be under the "exception" to the final order doctrine. He refers us to Cohen, the beneficial 337 U.S. 541.

2. He thinks our best chance is under the "all writ" section of title 28. This as you know provides for the old writ of Mandamus.

3. He says we had better check to make sure that the application is covered by a pauper proceeding.

N. A. A. C. P.
LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
10 Columbus Circle, New York, N. Y. 10019
JUDSON 6-8397

APR 26 1966

April 25, 1966

Steve Nagler, Esq.
c/o Congress of Racial Equality
38 Park Row
New York, N. Y. 10038

Dear Steve:

Enclosed please find a copy of the brief in the Davis v. East Baton Rouge Parish School Board case filed on April 25, 1965.

As soon as you have drafts or copies of the briefs in Johnson, Andrews and Banks, I would appreciate if you would forward such to me.

Yours very truly,

Robert Belton
Robert Belton

RB/gr
Enc. #1

SPROWAL

ONE SIXTY-FIVE BROADWAY
NEW YORK 6, N.Y.

APR 26 1966

April 25, 1966

Steven Nagler, Esq.
CORE
38 Park Row
New York, N. Y.

Dear Steve:

Someone should find out where Steven Gordon is so that he will know the Section 722b case was dismissed as far as he is concerned. It was dismissed in the New York Criminal Court, County of New York, Part IC on Friday, April 22 before Judge Braun on motion of the District Attorney. He should know of this in terms of his own future and the various records (ugh!) that he will be filling out as time goes on. Also the $50 fine can be retrieved.

Oral argument in the Sprowal case is on Tuesday, May 3, 1966 at 2:00 P.M.

Concerning the Sam Friedman et al. matter, please let me know where I can get a copy of the record that has apparently been made. If I am to get the case on the June calendar of App. Term, I should start preparing the brief immediately. To do this, I will need to look at the record. I simply cannot wait until the last minute to prepare the brief because of the real risk that some other matter at the office will make it impossible to do the job at the last minute. I would also like to have the brief prepared in enough time for Carl Rachlin to look it over. I feel that another lawyer's comments will be of particular value in a case like this since the "points of law" in the various cases are of limited guidance.

Very truly yours,

Lloyd L. McAulay

Lloyd McAulay

MAY 8 1966

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

HARVEY M. LIFSET
CHAIRMAN
WAYS AND MEANS COMMITTEE

2 May 1966

Dear Mr. Nagler,

Thank you for your letter of April 29 advising of your Association's support of Assembly Intro. 4880 and Assembly Intro. 2416.

I regret to advise that neither of the above listed bills were considered favorably by the Ways and Means Committee which terminated its meetings on March 22.

Sincerely,

Harvey M. Lifset

HARVEY M. LIFSET
Member of Assembly

hml;fmk

Mr. Stephen M. Nagler
Associate to General Counsel
Core
38 Park Row
New York 38, New York

Sewer Service

May 3, 1966

Assistant District Attorney M. Glass
Complaints Department
Office of the District Attorney
New York County
155 Leonard Street
New York, New York

Dear Mr. Glass:

I have checked the accompanying list with tender loving care and I find it absolutely accurate insofar as the name of the process server, alleged address of service, date, time and docket number concerned. I selected six samples which should be examined closely. All of them have affadavits of personal service by John Davenport who alleges that he served them prior to the time that the "petition" was filed in the clerk's office. I anxiously await your answer.

Sincerely,

Joseph Nagler
Associate to the General
Counsel

CR:tp
Encl.

THE SENATE
STATE OF NEW YORK
ALBANY

JEROME L. WILSON
30TH DISTRICT

MAY 6 1966

May 4, 1966

Mr. Stephen M. Nagler
CORE
38 Park Row
New York 38, N. Y.

Dear Mr. Nagler:

Thank you for your memorandum which I note endorses two of my housing bills.

I think that it is good for CORE to be in touch with state legislators and I hope that you continue this practice.

With every good wish.

Sincerely,

Jerome L. Wil

Jerome L. Wilson

OK
MR

May 8, 1966

Mr. John B. Silverberg
Attorney at Law
15 Park Row
New York 38, New York

Re: People vs. Crayton, et. al.
held on December 31, 1966

Dear sir:

Through inadvertence on my part, I quoted the cost of these minutes as being approximately $35.

Upon a further check on this matter, I now realize that the cost will be approximately $100.

Since this matter is for appeal purposes, I must give you five copies of the minutes on the decision and sentence, plus, I must also furnish the Appeals Bureau of the Criminal Court, with certified copies of fingerprint records, if any; plus approximately 100 certified copies of the complaints in this matter must be sent to you with the copy of the minutes.

$65.
Ck # 408
5/24/66

I am in receipt of your check in the amount of $35, and if this amount proves to be unsatisfactory to you I will return this amount to you immediately.

Thanking you in advance, I am,

Alejandro González
Alejandro Gonzalez, CSR
80 First Avenue, APT. 1C

P. S. I will await for your intrutions before commencing to do any work on this matter.

May 24, 1966

Hon. Howard R. Leary
Police Commissioner,
City of New York
240 Centre Street
New York, New York

Dear Commissioner Leary:

Although the events described in the accompanying materials happened some time ago, they have just recently come to our attention. If any particle of the allegations contained therein, with regard to the police officers concerned, is true, immediate and thorough disciplinary action is called for. The use of unnecessary force by police officers is a continuing problem. Corrective measure far more pervasive than the proposed civilian review board are called for. A thorough re-evaluation of the training and selection processes is long overdue. The right to carry a gun, a stick and to possess other indicia of force and authority, attract some men to police work who may be psychologically unfit. Sadism and vengeance are not (if they ever were) satisfactory characteristics of police officers.

Very truly yours,

Stephen M. Nagler
Associate to the General
Counsel

SMN:tp
Encl.
cc: Sol Herbert
Mrs. Georgia Hodges
James Wechsler

ART. 7A FOLDER

a national organization with affiliated local groups working

CONGRESS OF
CORE
RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

Floyd B. McKissick
national director

OFFICERS
Wilfred Ussery
chairman
Lincoln Lynch
2nd vice-chairman
Ruth Turner
secretary
Bill Bradley
treasurer

STAFF
Carl Rachlin
general counsel
Don Smith
public relations director
Herbert Callender
director of organization
Richard Haley
director of southern region
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voter education-political education dept.
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Jerry Wurf
Charles S. Zimmerman

448

June 2, 1966

Mr. Phillip Sokol
First Deputy Commissioner and Counsel
Department of Welfare
250 Church Street
New York, New York

Re: 74 W. 105th Street,
Manhattan

Dear Mr. Sokol:

This is with reference to your letter of April 7th concerning the proceedings under Article 7-A RPAPL, and to subsequent actions taken by various City agencies. We are sorry to have taken so long in answering your letter, but so many things have been done to this building recently that we have only now been able to track everything down.

First, we again request that your Department refrain from withholding rents under the Spiegal Law where Article 7-A proceedings are being initiated, and that it restore rents witheld when a 7-A administrator is appointed. You decided that this should depend upon the circumstances in each building involved; in light of the arbitrary decisions which have led to the closing of 74 West 105th Street, however, we suggest that you set specific guidelines for determining what action you will take in future cases. You ask for our proposals; these were given in our letter of March 11th. I enclose an additional copy at this time. It is our opinion that the expert testimony to the court by an architect or contractor should be accepted as proof of the feasibility of using Article 7-A, in so far as the structural soundness of the building is concerned. Presumably Article 7-A will not be attempted as a remedy when the only effective "remedy" is to demolish the building. Otherwise, we feel that any repairs which can be made are an improvement over existing conditions. Once an Article 7-A proceeding has been brought, and improvements (not only through 7-A, but also through City' emergency repair funds and possibly other programs) are imminent, it is rather late for the Department of Welfare to discover that its clients have been living under unsuitable conditions. A 7-A proceeding is not going to succeed unless

continued

the landlord has refused to correct very serious conditions which have existed for some time. There are many such buildings, and few 7-A actions. You are currently paying rent to many slumlords: we would be delighted to see you invoke the Speigal Act more often, in buildings which are not attempting to use Article 7-A, although satisfactory relocation is preferable.

It is true that 7-A presently takes a long time to repair a building. We think Article 7-A administrators should have the power to borrow money to make quick, "miraculous" repairs. Furthermore, the City of New York should be empowered to lend such funds. We are seeking such remedies from the Legislature. In the meantime, however, we suggest that your Department devote its attentions to the many situations in which your largess supports and maintains slums where no remedy is imminent. You should assist rather than hinder the small number of tenant-welfare recipients who are trying to make some improvement in the conditions you have condoned for so long. In other words, when rare cases of attempted improvements by "self-help" come to your attention, don't smother them.

As for a post-mortum on 74 West 105th Street, we would like to clarify some of the problems you found with the 7-A proceeding. After our meeting with Mr. Agin, you asked us to send you copies of the judgment in the 7-A proceeding and of the architect's findings in the building. We sent the former immediately, but it turned out that you wanted a copy of the original petition instead; this was sent later. We had no written information on the architect's findings, as the 7-A petition required only an estimate of total costs. Since you were not satisfied with the court's decision, however, we asked an architect to draw up an itemized list. To do this in good faith he had to thoroughly re-examine the building, and since our professional assistance at this time is done by volunteers, you might have forgiven our delay in getting the list to you. We regret that we neglected to identify Mr. Harris as an architect, but we did think you could figure it out from our repeated references to "the architect" during our meeting. You do say later in your letter that you assume Mr. Harris is qualified to make an estimate, yet you first insist: "There is no architect's statement as to the structural soundness of the building, the feasibility of its rehabilitation, and the estimated

continued

cost thereof." We had thought you could infer from the list of repairs and costs and from our explicit insistance on this point at our meeting that an architect had found 74 structurally sound. Its basic soundness is most important for the kind of repairs we expected to make, it is terrible that you didn't recognize this before the building was closed.

Next, you surmise from your visit to Court that the 7-A proceedings "have not been perfected." Please remember that 7-A is a very new and little tested law. Perhaps the Court miswrote its order; what is more important, we think, is that the tenants were prepared to use their rent money and Lester Evens to act as administrator to make repairs, until you prevented it. The administrator is most certainly authorized to do this by the law itself, if you have looked at that. You would also see that you are protected since he must account to the Court for all the rent money which he spends.

Back to the question of money: we showed Mr. Agin the petition with the $25,000 estimate at the time of our meeting. You need not have been surprised, then, that the architect's itemized list totalled $24,300. A 7-A petition does not say, however, that this amount is needed to "remedy the conditions dangerous to life, health, and safety." Such conditions must exist to bring a 7-A, but all nature of needed repairs may be listed on the petition, and if it is successful, the administrator is empowered to make all of them. We are quite aware that until we can borrow money, the process of repair must be slow. We repeat that slow repairs are preferable to none. In this case it is fatuous to say that "the work will have to be done piecemeal over a long period of time, during which the tenants will be living under highly unsatisfactory conditions," for they have had no repairs over a long period of time and under "ordinary" circumstances would have continued to live under highly unsatisfactory conditions. If you had released the rent money to Mr. Evens as you had thought you would, he could, at least, have begun repairs. Then, presumably as the building was fixed up, more people would move in, the rent roll would increase, and the rate of repairing would rise. I must add that the fuel and janitorial costs were

continued

being paid with emergency repair funds.

We sincerely hope that you have indeed rehoused the tenants in more satisfactory accomodations. To return to the larger question, though, we must re-emphasize that if you took all you clients out of slum housing they would be living in the street. There is simply not enough housing available to poor people in this city, and we feel that when tenants take the initiative to repair their houses, they should be given every opportunity to succeed. In the case of 74, we do not think that the delay in straightening out the complications presented by the 7-A and Speigal Laws would have made much difference to the tenants because: 1) the building had already remained in poor condition for many months, and 2) you had thought the administrator would be given back as well as future rent money, so that the same number of repairs could be made whenever he received it. Let us also remind you that the responsibility for these delays and complications rests with your Department. The original request that you invoke the Speigal Act was made in November, the request was withdrawn in December when the tenants decided to use 7-A, and the rents were witheld without notification beginning March 15th.

We were shocked to learn that 74 has been closed by the Department of Buildings on account of one violation which previously went unnoticed among the many. We do not know if your Department had anything to do with this action, but we must protest the closing of any structurally sound building which eliminates its chances for rehabilitation. At a meeting recently with some officials of the Rent and Rehabilitation Administration, it was emphasized to us that slums must be rehabilitated as the housing situation is becoming worse. The closing of 74 seems capricious, since there are worse buildings in the neighborhood. (948 Columbus Avenue, for example, should be closed, as it is obviously dangerous). The closing also seems impractical, considering the housing shortage, the fact that it could have been at least slowly repaired, and the clear fact that the City will not rehabilitate and reopen it.

continued

Mr. Sokol
First Deputy Commissioner and Counsel
Department of Welfare

Until the City is able to fix up a substantial number of slum buildings itself, or is willing to force landlords to do so, we are afraid that such imperfect weapons as Article 7-A must be used. Please consider developing a policy which will help improve, not shut down, your client's homes.

Very truly yours,

SMN/
AJ/tp

Stephen M. Nagler
Associate to the General
Counsel

Anne Jaffrey
Legal Coordinator,
West Side Block Associations,
946 Columbus Avenue
New York, New York 10025

3410 DeReimer Street
Bronx, New York, 69

June 7, 1966

Hon. Nelson D. Rockefeller
Governor of the State of New York
Governor's Mansion
Albany, New York.

Re: L.H.T. Rest. Inc.
503 DeKalb Avenue, Brooklyn,
Serial #2 TL 148

Honorable Sir:

I am forwarding a copy of a letter I sent to the Chairman of the State Liquor Authority, Hon. D.S. Hostetter, asking him to review the facts of my case and to reverse the decision of the license bureau.

I request this reversal on the basis of my documented Air Force record, my hard won educational background, and notable community achievements including outstanding character references from the N.A.A.C.P., C.O.R.E., State Senator John D. Calandra and other proof of my true background and character.

I have been employed by the Federal Reserve Bank as a foreign operations clerk and have been given satisfactory reference there.

I am presently attending the American Institute of Banking.

I am asserting my character because it is in the process of being distorted and assassinated by the State Liquor Authority.

I respectfully request your attention to this grave matter as I am one of the many Negroes in pursuit of the administration of justice and economic opportunity which is in the forefront of the "black man's" struggle for equality.

Please use your office to investigate and make this national ideal a reality.

Respectfully yours,

William Rexford Lord
WILLIAM REXFORD LORD

3410 DeReimer Street
Bronx, New York.

June 7, 1966

Hon. D.S. Hostetter
Chairman of the State Liquor Authority
270 Broadway
New York City.

Re: L.H.T. REST. INC.
Serial #RTL448- Kings

Honorable Sir:

On June 1, 1966, I received a letter from the State Liquor Authority denying my application for a license on the following grounds:

1. Section 126 of the Alcoholic Beverage Control Law and 1146 of the Penal Law.

2. That in the application dated February 23, 1963 and filed on March 7, 1966 the sole corporate principle, William R. Lord, indicated that he had never been arrested or convicted for any crime or offense and that it was learned from other sources that he had been arrested on June 13, 1962 in Baltimore, Maryland, and subsequently convicted of maintaining a bawdy house.

3. Thereafter on May 2, 1966 the corporate principle furnished information to the Authority with reference to his record of arrest and conviction.

I wish to submit to you the reason for the omission in my application filed March 7, 1966. When I was asked by my attorney as to whether or not I had been arrested, I stated that I had been arrested and fined $50.00 for improper register, while in the employ of my uncle, Leroy Brown, who resides in Baltimore, Maryland. My attorney stated that since this was a misdemeanor, it should not serve to disqualify me. However, when the investigation was made, I was informed that I too was charged with maintaining a disorderly house, in addition to my uncle and was acquitted on the charge of improper hotel register. It was then that Section 126 of the ABC Law was read to me, and I understood that this section applied to me.

I did not make any attempt to deceive the State Liquor Authority because I gave full details as to my employment record including the proper localities of my employment.

Sir, I am not so uninformed as to police procedures or investigation as to think that the disclosure of my arrest would not be made when my employment record from Baltimore was ascertained. I am not reluctant or ashamed to admit this unjustifable and discriminatory charge and conviction against me, but I am extremely offended by it. I am offended because my record proves this deviation of character made by the police solely on the basis of the fact that the four couples who were guests at the hotel were subsequently found not to be married.

The law governing the registering of guests at hotels in Baltimore does not require the hotel clerk to request marriage certificates of their guests as long as the clerk in using his discretion, has reason to believe they are married and registering their proper identities. This is the manner in which I satisfied myself with the registering of guests at the hotel.

The fact that I became a victime of this abominable charge was not because of any wilfull intent on my part to solicit, conspire or even manage the hotel as a disorderly house, such as is described in the charge. My uncle had been lessee of the Parker House Hotel, nine years prior to my arrest and no such arrest or charge had ever occurred. The arrest came as a result of continuous harassment and intimidation because of the fact that I was active in the civil rights movement in Baltimore and also because I held meetings at the hotel with the civil rights organizations.

The public accommodations law was passed in Baltimore in 1961 and there were interracial organizations holding bazaars and fund raising affairs in the banquet room. I refused to submit to the venomous remarks made to me in the policeman's attempt to discourage my making accommodations to these people and the "pressure" was put on me as "one of those smart New York niggers."

My family, my wife and three children were residing at the hotel the night that I was arrested and I assure you that this disgraceful charge brought a great deal of humiliation and suffering to them.

As I've also stated in my sworn testimony given at the hearing that I was consistently intimidated by the police of Baltimore that my wife, who was teaching in the Baltimore Public School System, and I decided to withdraw our admissions to Towson State Teacher's College and Morgan State College respectively. We made that decision because of the well known police state tactics that I was being subjected to.

This kind of atmosphere was indeed not conducive to study so that we were forced to move our family back to New York City. The record shows I began working in Baltimore in March of 1961 and terminated my employment there in July of 1963. During my brief stay in Baltimore, the record also shows that I became a member of the Prince Hall Mason Lodge, Treasurer of the Fourth and Seventh Democratic Club and a Notary Public which required the sponsorship of a State Senator. I ask you, in the name of justice, is this record of mine which is now at your disposal, deserving of the kind of discredit heaped upon me by the disapproval of a license. Is this the type of economic opportunity and administration of justice I am deserving of?

In a determined effort to vindicate my true and documented character, I ask you to consider my proven record of conducting myself in a creditable manner.

My beginnings, especially as a Negro, born and raised in Harlem, were such that only a person who is determined to be not a "risk" but a credit to his community could survive. Now that I have managed to overcome the pitfalls and obstacles of that environment, I want to be able to have a fruitful, constructive and productive life.

The State Liquor Authority has ample evidence substantiating my true and consistent character for the past twenty years including exemplary character references from nationally known responsible organizations. As I have stated in my testimony, and on my affidavit, I did state that I had been arrested and fined $50.00 for improper hotel register and my attorney attested to this so that I did not try to influence the findings and determination of the Authority with respect to the license applied for.

The public's convenience and advantage is what I have attempted to serve for most of my adult life as my record indicates. I have been cited for constructive contributions to any community in which I have lived or involved myself. If I am to be judged under the law, let there be justice afforded me also under the law. I appeal to you sir, to use your discretionary power to relieve me of this outrageous blemish on my hard won record.

The Authority completely disregards the fact that I have submitted an affidavit and stated under oath that I told my attorney I was arrested and fined $50. and that I stated this before he submitted my application. Instead, the Authority accuses me for an intentional and wilfull omission of my arrest in Baltimore. Sir, it seems to me that the administration of justice is not being afforded me and again I'm being depicted not as a victim of racial prejudice, but as one who is bent on crime and corruption.

I am perfectly willing to defend my character and reputation in the light of the facts, but it is indeed a distortion of the facts to state that I wilfully omitted that I was arrested in order to influence the Authority's decision. My intention to influence the decision of the Authority was done honorably through the submission of my Air Force record, educational record, job references and character references. The Authority being concerned about the character of an applicant, should consider the documented and proven consistency of one's record and not seek ways to disqualify and discredit his name and reputation on the basis of a racist charge maligned with hate and intimidation.

In conclusion, I must state that I strongly believe in justice winning out, as I have had many occasions to experience and in fairness to myself, respect and integrity, I am compelled to appeal to you in my pursuit of justice, I respectfully await your reply.

Very respectfully yours,

William Rexford Lord
WILLIAM REXFORD LORD

Law Offices
Morris Berler

50 Broadway
New York, N.Y. 10004

BOWLING GREEN 9-0848

JUN 8 1966

June 7, 1966

Congress of Racial Equality
38 Park Row
New York City.

Re: William Rexford Lord
3410 DeReimer Street
Bronx

Attention: Legal Counsel

Gentlemen:

I am enclosing herewith copies of letters mailed by my client, Mr. William Rexford Lord, to Hon. Nelson D. Rockefeller, Governor of the State of New York and to Hon. D. S. Hostetter, Chairman of the State Liquor Authority.

Very truly yours,

MORRIS BERLER

MB:as
encl.

Date 6/16/66

From: MR. FOGARTY

For: INFORMATION ____ CIRCULATION ____
ACTION ✓

NOTE
When several staff members are involved, please cross off your name and pass on by hand.

To:
Mr. Plunkert ____
Mr. DeMuth ____
Mr. Ross ✓
Mr. Williams ____
Mr. Thackrey ____
Miss Oveson ____
Miss Sauber ____
Mr. Bernstein ____
Miss DuBois ____
Miss Minges ____
Miss Wills ____
Miss Wood ____
Miss Braveman ____
Miss Norwalk ____

Remarks:
This Woman is
a Negro (I think).
She's most liberal
but her salary
level might [illegible]
in consultation
~~[illegible]~~ + might
a [illegible] [illegible]
my ideas on organizing the Vol.
Health Agencies — JEF

Mr Nagler:
As you can See, This is
very self-exploratory!

Linda Sobel

steve

June 21, 1966

Hon. Guy Fraiman
Commissioner of Investigation
111 John Street
New York, New York 10038

Dear Commissioner Fraiman:

The enclosed statement reveals a substantial number of instances of official wrongdoing involving several New York City Departments. The circumstances surrounding the arrest of Elijah Key and William Goines are being taken up by the Police Department, albeit not completely satisfactorily. The charges against Key and Goines are now still pending before Queens County grand jury.

The harassment to which the Club 135 and its owner, Harry Zeid, as well as its personnel, is a matter of great shock to us. It continued until two weeks ago when the club was closed. Zeid still maintains records of the visits which he received from police officers and Health Department inspectors. His staff is willing to come forth as witnesses to the incidents described in the statement.

I look forward to hearing from you at your earliest possible convenience as to what action you plan to take.

Sincerely yours,

Stephen M. Nagler
Assistant to General Counsel

cc: James Wexler
Mayorl Lindsay
Paul Chevigny

SN/vb

W-1

1664

THE CITY OF NEW YORK
DEPARTMENT OF WELFARE
250 CHURCH STREET
NEW YORK, N. Y. 10013
DIGBY 4-8700

MITCHELL I. GINSBERG
Commissioner

June 22, 1966

Mr. Stephen M. Nagler
Assistant to General Counsel
Scholarship, Education and Defense
- Fund For Racial Equality
150 Nassau Street
New York, N.Y. 10038

Dear Mr. Nagler:

We have your letter of June 20 requesting a copy of our Policies Governing the Administration of Public Assistance.

This book may be obtained from the Executive Officer of the Department of Welfare and the price is $1.50. The check should be made out to the Department of Welfare of the City of New York and addressed to the Executive Officer at 250 Church Street, N.Y.

In the meantime we are sending him a copy of your letter.

Very truly yours,

Aminda Wilkins

(Mrs.) Aminda Wilkins
Director of Community Relations

AW:ld

July 26, 1966

Hon. John V. Lindsay
Office of the Mayor
City Hall
New York, New York 10007

Dear Mr. Mayor:

As you know, a grave inadequacy of recreational facilities is a continuing problem in ghetto areas. Public action in this sphere is, of course, of primary importance. In many places, however, small lots of land, privately owned, provide potentially useful areas for the development of suitable facilities. On occasion, property owners conscious of these facts, have leased their vacant land to community groups for such purposes. We believe that others who might be willing to do so have been deterred by the fear that tax assessments on their property would rise as a result of improvements. If, as a matter of policy, improvements for public purposes were exempted as subjects for increased real property taxation, major benefits might accrue. As part of a campaign to encourage the dedication to public uses of vacant land, efforts in the public sphere might be effectively augmented.

Very truly yours,

Stephen M. Nagler
Associate to the General
Counsel

SMN:tp
cc: James J. Dorman,
Chief Assessor

THE CITY OF NEW YORK
DEPARTMENT OF PARKS
THE ARSENAL
830 FIFTH AVENUE
CENTRAL PARK
NEW YORK, N. Y. 10021
REGENT 4-1000

THOMAS P. F. HOVING
COMMISSIONER
HENRY J. STERN
EXECUTIVE DIRECTOR
ALEXANDER WIRIN
DEPUTY EXECUTIVE DIRECTOR

JOHN V. LINDSAY
MAYOR

August 8, 1966

Dear Mr. Nagler:

Mayor Lindsay has asked me to consider the recommendations contained in your letter of July 26th, seeking ways and means to encourage the use of privately owned land for public purposes such as our present vest pocket park program.

Your views, in large measure coincide with mine. An all-out effort is being made by this Department at present in evaluating and implementing as many of these small parks as possible on city-owned properties in those areas of our City desperately in need of playground and recreational facilities. While this is our first concern, we have not lost sight of the possibilities which you suggest and others which I have proposed in the Mayor's White Paper on "Parks and Recreations".

These recommendations including the policy you suggest, exempting properties which have been improved for public purposes from increased real property taxation can be effective tools. Their legal implications are broad and require the thorough and carefully detailed examination which we are devoting to them. It is a time-consuming task but well worth it.

With best wishes,

Sincerely,

Thomas Hoving
Thomas P.F. Hoving

Mr. Stephen M. Nagler
Associate to the General Counsel
SEDF for Racial Equality
150 Nassau Street
New York, New York 10038

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

MANPOWER
(Military Personnel Policy)

31 AUG 1966

Mr. Stephen M. Nagler
150 Nassau Street
New York, New York 10038

Dear Mr. Nagler:

This is in reply to yourletter to Mr. Jack Moscowitz requesting information on the proper procedures for appealing undesirable discharges from the military services.

There are no provisions either in law or service regulations which permit the changing of the character of a discharge from the Armed Forces except to correct an injustice or to remove an error. Title 10 of the United States Code gives this authority to the Secretary of the Military Department issuing the discharge, acting through the Discharge Review Board or the Board for Correction of Military Records. These Boards, operating directly under the Secretary, upon application will review the record and any evidence the applicant offers to support his claim of injustice or error.

Enclosed herewith are copies, in duplicate, of Department of Defense Form 293, "Application for Review of Discharge or Separation from the Armed Forces of the United States." The instructions regarding the use of the form are self-explanatory.

As you will note in the instructions on the reverse of the DD Form 293, application can be made thereon for the review of any discharge except those occurring by reason of sentence of a general court-martial. Army Regulations with respect to the review of discharges are enclosed, and will furnish more complete information regarding the functions and procedures applicable thereto. You will note therein that the applicant may present any pertinent evidence along with his application or he can elect to appear personally before the Board. He may also be represented by counsel if he so desires.

I trust the above information will assist you.

Sincerely,

RW Frieden

R. W. Frieden
Captain, USNR
Assistant Director
Personnel Management

Encls

Business and Professional Associates
American Jewish Congress

Stephen Wise Congress House ◆ 15 East 84th Street, New York, N. Y. 10028 ◆ TRafalgar 9-4500

Lawyers Chapter

September 22, 1966

Stephen M. Nagler, Esq.
C.O.R.E.
38 Park Row
New York, N. Y. 10038

Dear Mr. Nagler:

This will acknowledge with thanks your recent enrollment as a member of our Lawyers Chapter.

I note with interest your association with C.O.R.E. In these days of serious differences among civil rights groups, it is good to have your identification with our program. In those areas of common concern, certainly the important organizations ought to work together wherever possible.

I was wondering whether it would interest you to serve with our Metropolitan Council which has a great need for legal assistance in a number of vital areas. I am calling your membership to the attention of Mr. Haskell Lazere, its Director. If you wish to discuss this with me, I shall be happy to do so at your convenience.

Accept my best wishes for a Happy New Year.

Sincerely,

Ben Winitt

Ben Winitt
Director

BW:sw
CC: H. Lazere

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Director

S. Nagler
pers.

November 18, 1966

Mr. Ben Winitt, Director
Lawyers Chapter
Business and Professional Associates
American Jewish Congress
15 East 84th Street
New York, New York 10028

Dear Mr. Winitt:

What with moving of our office and the recent (weep) election, I have not gotten around to answering my mail 'til this week. Please accept my sincere apology. I had the pleasure to attend a MET Council meeting as a guest last month and got a small impression how difficulties among civil rights groups find expression within the Metropolitan Council. It was a most interesting evening. If the invitation still holds, I would be delighted to be a member of the Metropolitan Council. I also hope to contribute more actively in other ways.

Thank you very much for your kind thoughts.

Sincerely,

Stephen M. Nagler
Associate General Council

SMN:ns

GEORGE SCHIFFER
ATTORNEY AT LAW

40 EAST 49TH STREET
NEW YORK, N.Y. 10017

PLAZA 2-8060

November 18, 1966

Stephen Nagler, Esquire
Scholarship, Education & Defence Fund
150 Nassau Street
New York, New York 10038

Dear Mr. Nagler:

Mr. Schiffer has asked me to send the enclosed letter to you for your disposition.

Very truly yours,

S. Schuster
(Secretary to Mr. Schiffer)

/s
encl:

November 21, 1966

TO: Haskell Lazere, Director
Metropolitan Council

FROM: Ben Winitt

You may want to get in touch with Stephen Nagler in response to his expression of interest in the accompanying letter.

BW:sw

CC: Stephen Nagler, ✓

December 12, 1966

Professor Norman Dorsen
School of Law
New York University
Washington Square South
New York, New York

Dear Professor Dorsen:

The enclosed is one of the best jurisdictional statements I have ever read (I read it right after I wrote it).

Your comments and suggestions will be greatly appreciated, critical or otherwise.

Sincerely yours,

Stephen M. Nagler
Associate Counsel

SMN:gtc
Enclosure

1

December 12, 1966

Ruth Jacobs, Esq.
1255 Post Street
San Francisco, California

RE: ALBERT STUKES

Dear Ruth:

The enclosed materials reached us several weeks ago. They appear quite interesting. As I am sure you already know, the right of Muslims to practice their religion even in prison has been upheld by a number of Courts all over the country, but several questions remain unresolved:

Cf. Pierce v LaValle, 293 F. 2nd 233 (2nd Cir. 1961);
Sewell v Pegelow, 304 F. 2nd 670 (4th Cir. 1962).

We would appreciate if you would look into this matter and perhaps furnish Mr. Stukes your most able assistance.

Sincerely yours,

Stephen M. Nagler
Associate Counsel

SMN:gtc
Encls.

cc: Albert Stukes

December 14, 1966

Miss Natalie Alston
120 West 117th Street
New York, New York

RE: DOROTHY THOMPSON

Dear Miss Alston:

Please give me an estimate of the cost of the Minutes of Trial (original and five copies) in the case of People vs. Dorothy Thompson, tried before Judge Archibald in Part-2-D on October 10, 1966.

I am not authorized to order the Minutes until my client can determine whether she can afford to purchase them.

Very truly yours,

Stephen M. Nagler
Associate Counsel

SMN:gtc

— Mr. N—
Called several times
and finally sent this
out. These people
know goddamned well
I'm filing a suit — no point
kissing their backsides. —
(AWB)

Van Buren Lane
P. O. Box 46
Huntington, New York 11743
December 20, 1966

Mayor John Vliet Lindsay
City Hall
New York, New York 10007

Re: Complications to my pregnancy arising out of my maltreatment by the New York City Police Department's Charles St. Precinct

Dear Sir:

Your aide had a perfect right to be "appalled" at the enclosed copy of my complaint. You can imagine how I feel, and felt at the time. Indeed, your whole administration is going to be "appalled" when my damage suit is filed and when I give the press permission to print the story.

I had reached the age of 30 and had never arrested; am not a beatnik but a conservative American housewife; have written a book (Library of Congress Copyright #61-17661); have been legally married 13 years; am mother of an 8-year-old; am pregnant; am a teacher; am owner of my home, built with my hard-earned money and that of my husband.

We take arrests very seriously in my marriage, and in my family. We do not take them lightly. While arresting pregnant Negro schoolteachers, depriving them of necessary medications of pills for their unborn child, locking them in a stationhouse without benefit of counsel, while all this and more are what you probably mean by "Fun City," I am obviously the wrong Negro to have picked on.

I will say again what I have told the Police Department and what I hope I shall have the opportunity of telling my jury of my peers, as is my right under Anglo-Saxon law: I want to bring a complaint against a man who had (a) stabbed me with a penknife (b) tried to run me down with a U-Haul-It rented truck (c) had kicked at my stomach. The man, unbathed, unshaven, intoxicated, attacked me in full view of my husband and two of my students, who had no chance to restrain him.

When calling the Charles Street Precinct, we discovered that they (a) liked the man. (Whether this was because he was white, or because they slept with him, and/or shook him down, I was not able to ascertain. Perhaps it was all three.); (b) he was "very nice" to them "at Christmas time" so they couldn't arrest him; (c) they arrested me because my husband made a bribery accusation on the basis of money he saw the gentleman giving a detective in Pete's Corner, on Hudson Street in Manhattan, November 27, 1966. (A sworn statement on this is also in the police files.)

I simply do not have the money to purchase "Christmas presents" for members of your Police Force on Charles Street. It is all I can do to pay my mortgage and to buy Christmas presents for my daughter and my students.

A word to the wise: I do not know what hokum you plan to arrange with various "Negro leaders" to try to shut this up. Indeed, I don't think they would be bothered, and have been first to realize that I have been wronged. I think they realize that only several damage suits the size of my impending one (and I will pay for my suit if I have to strap my child to my back, Indian-style, and scrub floors after school) — several suits like mine, the mess, the publicity, the money — will make sure that pregnant minority-group women have a right to bring complaints against white bums. My suit will wake you up to the serious responsibilities of being Mayor of a city, and not just "Fun City."

While your first reaction to my suit is to have your hirelings pull all sort of machinations to administrate me out of any funds, to try to "scare" me (an impossible task, I assure you, my having survived quite well Mississippi and Tennessee), you will one day be grateful that I am waking you up to a potential danger in your administration.

I can assure you, this suit is not a pleasant thing. The many thousands I shall ask for are as nothing to the injustice I have suffered. It is bad enough to be slashed by maniacs.(Incidentally, the character who slashed me is a regular advertiser in the Daily Worker, the organ of the Communist Party -- it seems that he and the grafting swine mucking up your Charles Street Precinct are birds from the same nest.) This was no "right-wing" bigot down south who attacked me. Indeed, I spent my teenage years down South: no one slashed me there, white or Negro. No one there advertised in the Communist paper, either. Nor did I see anyone there paying detectives to arrest and not arrest, citizens. No one tried to run me down with a truck there. Nor did anyone kick at me there. Nor was I ever arrested there or anywhere else.

If you think that you have a budget deficit now, I suggest that you count your coins after my suit. You can arrange as many hearings as your heart desires before castrated, sniveling city hacks of judges, but you know full well that there comes a time when the case goes to the jury.

I would suggest that you come with your U-Haul-It truck, as Jules Kay came with his, and run me down with it, because only over my very dead body will you stop me. Maybe not even then, because my husband and daughter would press the issue for my estate.

I would suggest that you take this letter and get even more "appalled" with it, and think about "appalling" up some cold, hard, cash for me.

Sincerely,

Mrs. A. W. Brooks
Director
Basic Skills Program
Huntington, New York

/awb
enc.
cc: The Suffolk Sun
Riverhead, Long Island, New York

CIVILIAN COMPLAINT REPORT

POLICE DEPARTMENT

(FOR POLICE DEPARTMENT USE ONLY)

JURISDICTION: ☐ C.I. ☒ C.C.R.B.

TIME and DATE REPORTED		COMMAND OR LOCATION WHERE RECEIVED	C.C.R.B. (NAME) NTFD:	SERIAL NUMBER C.C.R.B.
9:15 AM	12-1-66	CCRB - Person	Miss Stratton	xx 880

INDICATE ANY ADDITIONAL FORMS PREPARED OR ENTRIES MADE IN DEPARTMENT RECORDS WITH DATES (EXCEPT BLOTTER ENTRY)

COMPLAINANT'S SURNAME	FIRST	ADDRESS	APT/FLOOR	TELEPHONE NO.
Brooks,	Amanda	Van Buren Lane - Huntington, NY		(516) 261-0787

NAME OF PERSON WITH WHOM RESIDING	TELEPHONE NO.	ADDRESS WHERE RESIDING IF NOT A NEW YORK CITY RESIDENT	HOW LONG WILL YOU RESIDE IN NEW YORK CITY?
Hall - Husband	Same		

EMPLOYER'S NAME	BUSINESS ADDRESS	YOUR OCCUPATION	TELEPHONE NO.
Huntington School District	177 East Main Street	Teacher	HA 1-5058

REPRESENTATIVE/INTERPRETER/PERSON ASSISTING	ADDRESS	APT/FLOOR	TELEPHONE NO.

NAME OF POLICE DEPARTMENT MEMBER COMPLAINED OF (If unknown, provide description of officer and type of duty performed, e.g., foot, auto, detective, etc.)	SHIELD NO.	COMMAND
2 Caucasion Ptl. - Italian, 5'10", Thin - Blonde, Irish, Red Hair Detective Zambia	Unk.	Charles Street Precinct

TIME and DATE OF OCCURRENCE		LOCATION
12:15PM	11-26-66	79 GANSEVOORT ~~Gainsville~~ Street - Lower West Side, New York
4:00 PM	11-27-66	6th Squad

NAME OF WITNESS	ADDRESS	APT/FLOOR	RELATIONSHIP	TELEPHONE NO.
My Husband				
Two Students				

DETAILS OF COMPLAINT (Use reverse side of form if more space is required)

My husband and I have had constant trouble with an ex-convict; one Jules Klebanoff (sic) A/K/A "Julie Kay" or "Jules Kay", who operates a firm called Budget Movers at 53 Gansevorct Street, New York City. When we went to New York to pick up furniture stored at Kay's Warehouse (stored until completion of our attic), Jules Kay:

1) Stabbed me repeatedly in the hand with a penknife.
2) Tried to run me down with a rented U-Haul-It Truck.
3) Kicked at my stomach, saying he would make me lose my expected baby.

I called the 6th Squad (Charles Street Station) in Manhattan. Two officers came, they took off their shields. They:

1) Refused to give their names.
2) Told Jules that they "would look out" for him.
3) Refused to drive me to the Hospital (My hand was bleeding profusely and I had severe abdominal cramps).
4) Said that they could not arrest Jules because "he's very good to us at Christmas Time."
5) When I said I would return to press charges against Jules, they stated "then he'll just have you locked up, you bitch."
6) Threatened to arrest my husband and two students who had witnessed the incident, "to shut me up."

RANK	Signature of Member of Force Receiving Complaint	Signature of Person Assisting Complainant	Signature of Complainant
	Dorothy Stratton		s/ Amanda Brooks

INSTRUCTIONS FOR COMPLAINANT: Prepare this report in your own handwriting. You will immediately receive a typewritten copy as your receipt. The Chairman, Civilian Complaint Review Board or an investigating officer will communicate with you in writing in the near future relative to the investigation of your complaint and will arrange to schedule any necessary investigative hearing at a time and date convenient to you.

Tried to take the money I was holding, and tried to give it to Jules.
Refused to let my husband stop Jules assaul upon me.

On Sunday, November 27, 1966, I went to New York City again after receiving medical attention. At the 6th Squad (Charles Street Station) a Detective Zambia told me he would have Jules charge me if I persisted in "involving"his "officers". I asked what grounds Jules would charge me on. "Anything you charge him on; Julie is very popular around here." Bringing Jules in, Zambia asked him to charge me "so she won't have anything on the Department".

Whereupon Jules abetted by the Police, charged me with "felonious assault"; he claimed I had "gotten in front of his truck, thereby changing it into a dangerous weapon." I had to spend overnight in prison. My reputation was grievously damaged. My unborn child was harmed. I have never been arrested before. I am legally married, a mother, a former Ford Foundation Fellow, a published author, owner of my home, and a Junior High School Teacher.

On the way to the prison, my husband followed the car with Jules and the detectives; they entered a drugstore South of Charles Street and Hudson Street, wherein my husband saw Jules give an officer money. I was not given a chance to consult with my attorney. I missed a day of school. I was treated as a common criminal.

This complaint is no way mitigates any damage I might have against Jules Klebanoff and/or the City of New York. I was directed to the Police Review Board by Florence Kennedy, Esq., The National Review Magazine, The N.Y. Post (Mr. Schiffer), The Suffolk County Board of the Congress of Racial Equality, and the N.A.A.C.P.

I have an 8 year old daughter, who has been irreparably damaged by this violation of my civil rights.

December 22, 1966

Mr. Walter A. Hoyer
42-15 Crescent Street
Long Island City, New York

RE: Free Transit Passes For
Gary Smith and 15 Others

Dear Mr. Hoyer:

Pursuant to our conversation held this morning, I am writing to you regarding the return of the above mentioned passes. These passes were taken from the students on November 30, 1966 by a TA police officer who arrested them. Trial is set for Children's Court, Kings County, on January ✓ th. On their last appearance in court, Judge Zuckerman ordered the Clerk of the court to contact the Transit Authority requesting the passes be returned.

As the children have not been found guilty of any offense whatsoever, the refusal to return their passes is a denial of the right to due process of law not withstanding any agreement between the Board of Education and the Transit Authority. Unless passes are returned forthwith, we shall be compelled to seek a judicial remedy. As this would prove most inconvenient for all concerned, I trust that this matter can be settled at your earliest convenience.

Very truly yours,

Stephen M. Nagler
Associate Counsel

SMN:gtc
cc: Mr. Walter Schlager
N.Y.C. Transit Authority
370 Jay Street
Brooklyn, New York

SCHOLARSHIP,
EDUCATION AND
DEFENSE
FUND FOR
RACIAL EQUALITY inc.
150 NASSAU STREET
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

December 22, 1966

Mr. David Cairys
Apartment 9-A
542 West 112th St.
New York, New York

Dear Dave:

You have been hiding for too long but I have caught up with you at last. I seem to have a vague recollection of a promise made during the month of July that I would be hearing from you when you returned to this great metropolis. I may not have the ears of an elephant but I know when I have not been called.

Seriously, there are a number of very important matters pending in which we could very much use your help. Please call me at your earliest convenience.

Hope the upcoming holidays are pleasant ones for you.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:gtc

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Apt. 9-A
542 W. 112th St.
New York, N.Y.
December 24, 1966

Stephen Nagler
S.E.D.F.
150 Nassau St.
New York, N.Y. 10038

Dear Steve:

After seeing how you misspelled my name (Kairys, not Cairys), I don't feel so bad about not calling. I have been meaning to get in touch with you, and my offer of help still stands.

Actually I think I'm already helping you with people from Columbia on your welfare project with Ed Sparer. The people I sent to the first meeting have not been contacted since that meeting however.

I'm leaving for my vacation now; I'll call you when I return. I'm pretty sure I'll be able to get you some help starting next semester.

Regards,
David Kairys
David Kairys

December 27, 1966

Pierre A. Tonachel, Esq.
405 Lexington Avenue
New York, New York

Dear Pierre:

The enclosed brief of respondents arrived on Thursday. Do you think that a reply brief is called for ?

Please call us at your earliest convenience.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:gn
Enclosure

December 27, 1966

Mr. David Kairys
542 West 112th Street
New York, New York

Dear Dave:

Sorry about the mis-spelling of your name, I do know better but our temporary secretary did not.

So far as the students whom you sent to Ed Sparer's meeting are concerned; I never saw them again nor did I ever receive their names and addresses. Al Housman at N.Y.U. has been in charge of supplying us with students and has met with freat difficulties.

The problems involved in welfare cases are very great and in many cases unique. I think you know by now that students who work with us will have a great deal of responsibility and will not be used as mere errand boys. Whatever the outcome, I am anxious to see you. You must come over for dinner as soon as you find it convenient.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:gn

RUTH JACOBS
ATTORNEY AT LAW

SUITE 700
1255 POST STREET
SAN FRANCISCO, CALIFORNIA 94109
ORDWAY 3-3775

December 27, 1966

Stephen M. Nagler, Associate Counsel
S E D F for Racial Equality, Inc.
150 Nassau Street
New York, New York 10038

Re: Albert Stukes

Dear Steve:

I am returning the material you sent to me concerning Mr. Stukes. I can't do anything about it at the present time, and I think it would be a good idea if you referred the case to someone else.

Just for your information, Susanville, where Mr. Stukes is, is located hundreds of miles from here, and is inaccessible except by automobile and I would have no way of getting up there to see him.

While I was dictating this letter it occurred to me to talk to the ACLU people here, which I have just done. They are representing a Muslim, pretty much on the same basis as Mr. Stukes should be represented. It might be a good idea to wait and see what the outcome of his suit will be.

It might also be a good idea to check with Marshall W. Krause, of the ACLU, in a couple of months to find out how the suit is getting along.

I'm sorry I cannot be of any assistance at this time and I hope you will understand.

With warmest regards.

Sincerely yours,

(Mrs.) RUTH JACOBS

RJ:lt

Encl.

P. R.

1874 Loring Place, South #5F
Bronx, New York 10453
December 30, 1966

Congress of Racial Equality
Northeast Regional Office
48 East 125 Street
New York, New York

Dear Sirs:

I write to you on behalf of my mother-in-law, Mrs. Mamie McCrary in regard to her son Carl McCrary, Jr. Mrs. McCrary resides at 62 East 99th in Manhattan, Apartment 2.

Our problem is this, my brother-in-law, Carl is being detained at the Matteawan State Hospital for the Criminally Insane in Beacon New York. Carl was sent to Matteawan because he assualted a law officer and then refused a white lawyer which the court assigned to him. Carl strongly believes in the Muslim religion, and although the rest of us are not Muslims, we believe that it has made him a better person. Carl has been at Matteawan for approximately two years. When his father died on August 31st of this year, Carl was not permitted to come home for the funeral. Since being at Matteawan, Carl has tried to start a new life for himself and has been studying hard to become a decent citizen. Carl is being detained at Matteawan indefiniately. The authorities will not send us any information on Carl's mental condition, nor do we have any inkling as to when he will be able to come home.

We know that CORE is known for helping people of minority groups who are being surpressed, so a friend of ours recommended that we write to you to see if anything could be done to get Carl out of the hospital and even in jail, just so long as he will have some idea of when he might be able to join society again. We don't have money to pay a lawyer, but we are a large family and if we all chip in, we could, I am sure, raise some money.

So we are pleading for your help. Perhaps if you can't help us you could recommend us to someone who can take this kind of case. PLEASE, PLEASE don't ignore this letter, Carl needs someone in his corner with a little influence. If he can't get out, just a word from someone to let the authorities know that someone is interested in him as a person, and not just another number in this society.

Thank you in advance for your help.

Sincerely yours,

(Mrs.) Brian C. McCrary

January 4, 1967

Mrs. Clora Coleman
National Core
200 West 135th Street
New York, New York

Re:B-128933 - Steve Kosloff, Bond

Dear Clora:

Nothing much we can do about this, your man has completely disappeared.

Please attend to this as soon as possible.

Sincerely,

Stephen Nagler
Associate Counsel

SN:gn
Enclosure

January 6, 1967

Hon. Charles Moerdler, Commissioner
Department of Buildings
City of New York
Municipal Building, New York

Re:531 East 157th Street, Bronx 55

Dear Commissioner Moerdler:

On or about December 15, 1966, I sent a letter to the cashier of the Building Department, City of New York, requesting a record of the violations of a building located at 531 East 157th Street, Bronx 10455, New York, I enclosed an authorization from Mrs. Maudeen Gill, a tenant in that building, whom I represent, and the $2.00 fee.

As of this date I have not received the required report nor any recognition of my letter.

Very truly,

Stephen M. Nagler
Associate Counsel

SMR:gn

January 10, 1967

Mrs. Rhoda Karpatkin
660 Madison Avenue
New York, New York

Re:School Suspension Cases

Dear Rhoda:

I apologize for not having sent these letters to you sooner, however, I have been literally buried with work all week. This letter concerns two of the cases presently before us: 1. Carlton Davis, 2. David Brown.

Brian Glick, Ed Sparer's associate will be calling you (if he has not already done so) about a third case.

Our interest in all of these cases is at this stage, based on two important issues:

1. Denial of due process by the Board of Education in refusing to allow children to be represented by counsel and in other respects.
2. The suspension of school children in their removal from a supervised classroom situation both prior to a hearing as well as after the hearing has taken place, may well be a violation of the compulsory education laws of the State of New York, and is at any rate, very definitely contrary to the interest of the children. That children who may have serious psychological problems are put out in the street is satisfactory neither for good children nor for society.

Here are the facts I have in these two cases:

1. David Brown-Mother: Mrs. Linda Brown

David is 13 years of age. He was suspended from school pending a hearing about the first of November. According to Mrs. Brown the suspension was based on the charge that David struck another child . David attended P.S. 117 in the Bronx. Principal is a Dr. Ames. School telephone number is LU 8-5130. The hearing was scheduled to take place on or about November 10th, . We have not heard from Mrs. Brown since then, and have no way of reaching her.

2. Carlton Davis-Mother : Mrs. Marian Summers

The enclosed letter indicates the basic facts regarding suspension, although it says nothing about the cause. It is typical of the letters used in such situations. Carlton is accused of striking the teacher. He says that the teacher continously discriminated against him because he is a Negro and that on the occasion concerned he was only tapping the teacher's shoulder from behind to attract his attention. Be that as it may, the teacher regarded the tap as serious enough to bring charges against Carlton in juvenile term of the Family Court, in Kings County. In spite of repeated requests from members of Brooklyn Core, the teacher has refused to withdraw his charge. A hearing was scheduled for Thursday, January 5th, but at the request of the attorney for the Board of Education it was adjourned pending the outcome of the case pending in the children's court.

You should also know that Carlton is a cousin of the late Ernie Davis, the Syracuse football hero, who died of leukemia several years ago, and a scholarship at Syracuse University awaits Carlton if he can straighten out. That's it for now Rhoda; I hope to talk to you on Wednesday or Thursday.

Sincerely,

Stephen M. Nagler

SMN:n
Enclosure

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January 13, 1967

Stephen Nagler, Esq.
150 Nassau Street
New York, N. Y. 10038

Re: B-128933 - Steve Kosloff

Dear Mr. Nagler:

We have not had a response to our letter of December 29th with regard to the above forfeiture.

Judgment has been entered against National Surety Corporation and Stephen Kosloff on January 4, 1967 and this forfeiture will have to be paid.

Please give this matter your attention and let us hear from you.

Yours very truly,

Daniel Giordano
per zm

zm

Daniel Giordano

January 17, 1967

Mr. Daniel Giordano
National Surety Corporation
110 William Street
New York, N.Y. 10038

Re:B-128933 - Steve Kosloff

Dear Mr. Giordano:

I forwarded your first letter to Floyd McKissick, the National Director of CORE, for his attention. As Mr. Kosloff was arrested in the course of a CORE demonstration, Mr. McKissick will certainly be interested and I suggest that you contact him regarding the terms of payment.

In the event that Steve Kosloff can be found, which appear unlikely at this point, I will make a motion before one year from the date of the forfeiture, to remit the forfeiture bill.

Very truly yours,

Stephen M. Nagler
Associate Counsel

SMN:n
CC:F.McKissick
Enclosure

CONGRESS OF
CORE
RACIAL EQUALITY

working to create a society in which all men are equal

200 WEST 135th STREET
NEW YORK, N.Y. 10030
281-9650

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Goodwin Watson
Joseph Willen
Jerry Wurf
Charles S. Zimmerman

January 17, 1967

Attorney Steve Nagler
150 Nassau Street
New York, New York

Dear Mr. Nagler:

Enclosed is a letter from Mrs. Brian C. McCrary.

Would you be so kind as to investigate the case and perhaps help the party mention in the enclosed letter.

I am very interested in this particular case and would like to be kept well informed.

Thank you for your help.

Sincerely,

Marie Simmons

Marie Simmons
Public Relations
Assistant

MS/ms
ENC:

January 19, 1967

Isiah J. Williams, III, Esq.
101 West 135th Street
New York, N.Y. 10030

Dear Isiah:

Enclosed, please find letters from Mrs.Brian C.McCrary and Mrs. Marie Simmons regarding the case of Carl McCrary. As you know problems involving the rights of persons involuntarily confined to mental institutions are of major concern to us. When the man confined is a Muslim and when the circumstances are such as Mrs. McCrary describes, a suspicion arises that the reason for confinement is the religion and prehaps the race of the detainee.

I ask you to look into this matter and inform us of the present status of this case. Furthermore, if you find it possible we would appreciate it if you would devote your more than ample skills to the assistance of Carl McCrary.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:n
CC:Mrs. McCrary
Mrs. Simmons
Enclosure (2)

file w SN

January 19,1967

Hon. Aaron Koota
District Attorney
County of Kings
Brooklyn, New York

Re:People v Thomas Birmingham in the Complaint of J. Titus

Dear Sir:

The Mother of the complainant in the above named case has asked me to assist her in the prosecution of the defendant. The charge is simple assault and the matter is presently scheduled to be in part 2B on January 25,1967.

Witnesses to the alleged assault included a Mr. Alcuri and a Mrs. Mereashi, both are teachers at Junior High School 162 on St. Nicholas Avenue in Brooklyn. We would appreciate it if you would subpoena them as witnesses in behalf of the People.

I understand that they have been subpoenaed in the past and appeared when the case was called on the last adjourned date. They were told at that time by the police officer who made the arrest that they would not have to appear again unless a future subpoena was issued.

Your attention to this matter will be greatly appreciated.

Very truly yours,

Stephen M. Nagler
Associate Counsel

SMN:n

ISIAH J. WILLIAMS, III
101 WEST 135TH STREET
NEW YORK, N. Y. 10030

283-9154

January 23, 1967

Scholarship Education and Defense
Fund for Racial Equality
150 Nassau Street
New York, New York

Dear Steve:

Received your letter of January 19, 1967, about the case of Carl McCrary. I will contact Mrs. McCrary and will inform you of my legal opinions of this case as soon as I have the necessary information.

Sincerely,

Ike

Isiah J. Williams, III

IJW:get

Enclosure

January 23, 1967

Hon. Mitchell Ginsberg, Commissioner
New York City Department of Welfare
250 Church Street
New York, New York

Dear Commissioner Ginsberg:

I found through a community worker at the South Bronx C.P.C. that your information regarding Mrs. Melvenia Johnson was more recent than mine. Let me thank you for your continued attention to this matter.

I wish to turn now to a somewhat more serious problem involving a large number of welfare recipients in Queens. As you must know by now, it is exceedingly difficult for either a client or anyone else to contact the Queens welfare center. Several associates informed me that many months ago they were informed that a new telephone system would be installed. To date nothing has been done to put this into effect and the problem remains severe. I hope that something can be done to improve the situation.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:n

Class of Service

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

W. P. MARSHALL
Chairman of the Board

TELEGRAM

R. W. McFALL
President

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CARL RACHLIN
150 NASSAU ST NYK

APPEAL SPROWAL AGAINST NEW YORK DISMISSED TODAY FOR WANT SUBSTANTIAL FEDERAL QUESTION

JOHN F DAVIS CLERK

(25).

SF1201(R2-65)

January 26, 1967

Honorable Nelson A. Rockefeller
Governor
The State of New York
Albany, New York

Re:Walter Creasey #31371-Dannemora

Dear Governor Rockefeller:

Several months ago, I had occasion to write to you regarding the case of Walter Creasey (#31371) who is confined at the State Penitentiary at Dannemora. At that time I asked that the commutation of Creasey's sentence be considered in view of the state of his health. Today I received the enclosed letter from Mr. Creasey.

Once I appeal for your attention in this matter, so that Walter Creasey may spend his last days on earth in freedom. Unless this matter is attended to with dispatch, Mr. Creasey will be completely incapable of enjoying any freedom of movement whatsoever, and a commutation of his sentence will be rendered pointless. Within a short time Walter Creasey will be dead. I again appeal to you in the interest of mercy for the commutation of his sentence.

Very truly yours,

Stephen M. Nagler
Associate Counsel

SMN:gn

send cc
Mr. Cosme
mr. Z

ACTION FOR PROGRESS
A Community Action Program of the Office of Economic Opportunity / *Initiated by University Settlement*
64 RIVINGTON STREET, NEW YORK, NEW YORK, 10002 • PHONE: OREGON 4-5561

NEIGHBORHOOD SERVICE CENTER, 62 RIVINGTON STREET
COMMUNITY DEVELOPMENT CENTER, 64 RIVINGTON STREET
UNIVERSITY SETTLEMENT, 184 ELDRIDGE STREET

January 30, 1967

Barbara Fischer
Director of Training
Williamsburgh Community Progress Center
815 Broadway
Brooklyn, New York

Dear Barbara:

In regard to the five workers you have assigned for training, we will conduct the following program:

First, we will supply them with materials regarding violations, codes, forms, etc. which they will find useful in their future work.

Second, we will assign them immediately to direct field problems, i.e. processing violations, organizing tenants, calling City departmants. This work will be conducted under the immediate direction of our field workers in actual problem situations which are fresh. They will be under my direct supervision.

Finally, we will be able to review the actions taken and their effectiveness in the context of direct results in terms of landlord and City response, repairs made, procedures begun.

I feel very strongly, as you do, that direct experience is the best form of training and I think that this will be an exceptionally fruitful experience for all concerned.

Sincerely,
Paul A. Du Brul
Paul A. Du Brul

February 9, 1967

Honorable Seymour Posner
New York State Assembly
The Capital
Albany, New York

Dear Sy:

Enclosed is the brief you requested in the case of Findley versus City of Nyack. We are awaiting a decision by the Appellate Division, Second Department. I think the brief may point the way to satisfactory "citizens' remedies" to discrimination by volunteer fire departments, as well as other agencies. It is obvious to all at this stage that the State Commission for Human Rights provides no satisfactory solution whatsoever. If your legislation proposes to vest it with authority to investigate complaints of discrimination against volunteer fire departments, I think that you are wasting your time. Perhaps that is satisfactory as an alternate remedy, but not as an exclusive remedy.

I will be glad to discuss this with you further at your convenience. I am also enclosing some of the rough copies of the welfare legislation which I discussed with you on Monday evening. It would be very nice if these measures would be introduced as social welfare committee bills. In any case, Ed Perlmutter and I will contact you later in the week to discuss this further. I should also mention that it has been suggested that we discuss with assemblyman Kottler the possibility of making welfare legislation a project for the democratic study group. What do you think of that?

Sincerely,

Stephen M. Nagler

SMN:ms
Enclosure

SCHOLARSHIP,
EDUCATION AND
DEFENSE
FUND FOR
RACIAL EQUALITY inc.
150 NASSAU STREET
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

February 9, 1967

Honorable Samuel Wright
New York State Assembly
The Capital
Albany, New York

Re: Discrimination In Volunteer Fire Departments

Dear Assemblyman Wright:

After our discussion Monday evening, I feel it important to emphasize my view that to vest authority in the State Commission for Human Rights to review complaints of discrimination by volunteer fire departments is meaningless. I am sure that you are well aware by now of the shortcomings of the State Commission. If you condition penalties or rather the removal of priviledges from volunteer fire departments on a finding of discrimination by the State Commission for Human Rights, you may be doubly sure that such a finding of discrimination **will never** occur. You may be certain that the stiffer the penalties attached to a finding of discrimination, the less likely the commission is to "rock the boat".

I would suggest either alternate to or concurrent with jurisdiction in the State Commission for Human Rights, one of several other remedies. Perhaps an attack on the corporate status of volunteer fire departments engaging in discrimination through the Secretary of State might lead to more fruitful results. This assumes that the Secretary of State would conduct his office responsibly in investigating complaints of discrimination - an assumption for which there is some (but not very much) justification. Another and perhaps more suitable alternative is an ammendment to section 51 of the General Municipal Law for the purpose of clarifying the fact that a citizen may challenge judicially the use of funds by municipal officers for discriminatory purposes. Please see point two in our brief in Findley v. Village of Nyack for clarification. Ammendments to Sections 82 and 83 of the Local Finance Law are another fruitful area of examination. In any event we are anxious to know the final product of your efforts and if possible to assist you further in the future. Thank you very much for calling on us.

Cordially,

Stephen M Nagler

Stephen M. Nagler

SMN:ems

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490

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

SAMUEL D. WRIGHT
37TH DISTRICT
KINGS COUNTY
1634 BROADWAY
BROOKLYN, NEW YORK 11207
GL 5-5002

February 20, 1967

Stephen M. Nagler
Scholarship, Education & Defense Fund
for Racial Equality, Inc.
150 Nassau Street
New York, N. Y. 10038

Dear Mr. Nagler:

It appears that we both are in agreement when it comes to the relative meaningless of the State Commission for Human Rights in its endeavor to correct the injustices of persons bringing their compliants before that body. Its contributions toward doing something meaningful in this area is nil. I have grave misgivings, but feel that something should be done in regard to the Volunteer Fire Department.

As I advised you, I am supporting the bill drafted by the Attorney General in which a Board of Fire Commissioners will be empowered to hear and decide in these matters. If discrimination is found in any Volunteer Fire Department, they can forthwith place said volunteer within that fire company.

I will be one of the multi-sponsors of this measure and we do hope that it will eradicate the exclusion of Negros and other minority ethnic groups from this worthwhile civic service.

Please accept my sincere thanks, not only for your comments but your prompt assistance in this matter.

Very truly yours,

Samuel D. Wright

SAMUEL D. WRIGHT
Member of the Assembly

SDW:TIC

February 24, 1967

Miss Marie Simmons
Congress of Racial Equality
200 West 135th Street
New York, New York 10030

Re:Walter Creasey Cl-31371

Dear Marie:

If we are to carry this matter any further, we must verify the facts regarding Walter Creasey's illiness.

Can you help?

Very truly,

Stephen M. Nagler
Associate Counsel

SMN:n
Enclosure (1)

March 8, 1967

Joseph Stone, Esq.
Assistant District Attorney, New York County
155 Leonard Street
New York, New York 10013

RE: People v. Ozella Davis, and 15 others (Pt II B)
People v. John Sandman (Pt III)

Dear Mr. Stone:

These defendants are on the calenders of the above named parts for Monday, March 13th, 1967. As you know, they were arrested together at a demonstration at the Department of Welfare. All except Sandman were released on their own recognizance. Sandman was released on $25.00 cash bail.

I represent nine of the defendants. Harold Rothwax represents three of them, and Leonard Sandler represents five. Mr. Sandler is presently engaged in a trial in the Supreme Court, which barring any unforeseen circumstance -- will last at least two weeks (until approximately, March 13th). I am engaged on March 14th, 1967 on a matter in Part IE (People v. Reynolds). It thus appears virtually impossible that we will be ready to go to trial on Monday, and we plan to request an adjournment.

Almost all of the defendants are women with young children. All but two are welfare recipients. The two who are not are both poor. Since an unnecessary trip to court would entail a great hardship on these defendants who are already in dire economic straits, I would appreciate your consent to a request to the court for a waiver of their appearance on Monday.

I will most certainly be present to represent them at that time, which is -- as I read the code of Criminal Procedure -- all that is required.

Please let me hear from you on this matter at your earliest convenience.

Cordially,

Stephen M. Nagler

SMN:lg

School of Law

FORDHAM UNIVERSITY

Lincoln Square
New York, N.Y. 10023

Law Review

March 15, 1967

Mr. Steven Nagler
150 Nassau Street
New York, N.Y.

Dear Mr. Nagler:

The Fordham Law Review is considering publishing a symposium on welfare law. The editorial board would like to extend an invitation to you to submit an article on this subject.

It has come to our attention that you are scheduled to participate in the conference to be sponsored by the LSCRRC at Fordham Law School on March 17-19 and it is our hope that an article might be generated by your preparation for or participation in that program.

Your cooperation is greatly appreciated.

Very truly yours,

JOHN A. DONOVAN
Articles Editor

JAD/avs

THE LEGAL AID SOCIETY
UPTOWN OFFICE
290 LENOX AVENUE
NEW YORK, N. Y. 10027

SHYLEUR BARRACK, ATTORNEY-IN-CHARGE
[redacted]

TELEPHONE:
ENRIGHT 9-1500

CARL W. PAINTER
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Attorney-in-Chief
MARY B. TARCHER
Assistant Attorney-in-Chief

IN REPLY REFER TO OUR NUMBER HQ 3718

March 30, 1967

Mr. Stephen Nagler
Scholarship Education & Defense Fund
for Racial Equality, Inc.
150 Nassau Street
New York, New York

Dear Stephen:

I am enclosing a draft of a letter that we wish to file with the Commissioner's office.

Kindly make any additions or corrections you think are necessary and inform me of what your position is.

Very truly yours,

THE LEGAL AID SOCIETY

David Gil

David Gilman

DG:jd
Encl.

The purpose of the Society is to render legal aid in the City of New York to persons who are without adequate means to employ other counsel.—*By-laws of The Legal Aid Society.*

THE LEGAL AID SOCIETY

UPTOWN OFFICE
290 LENOX AVENUE
NEW YORK, N. Y. 10027

SHYLEUR BARRACK, ATTORNEY-IN-CHARGE
[redacted]

TELEPHONE:
ENRIGHT 9-1500

CARL W. PAINTER
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Attorney-in-Chief
MARY B. TARCHER
Assistant Attorney-in-Chief

IN REPLY REFER TO OUR NUMBER HQ 3718

March 30, 1967

Mr. Mitchell I. Ginsberg,
Commissioner of Welfare
Department of Welfare
250 Church Street
New York, N. Y. 10013

Dear Commissioner Ginsberg:

We represent the welfare client, Miss Rosette Carter, who resides at 153 West 142nd Street, New York City, and is serviced by th ~~a~~ Non-Residence Welfare Center.

In attempting to adjust certain problems that arose concerning her case, we contacted the Unit Supervisor a Miss Wright. When we called Miss Wright not only was she discourteous and unprofessional in her attitude, but she inferred that we were incompetent in our relationships with our client and that we were doing our client a disservice. I have represented literally dozens of welfare clients and have discussed dozens of cases with Unit Supervisors and Caseworkers and I have never been so insulted or treated with such disrespect. I feel that if this is Miss Wright's attitude, that she certainly is not acting in the best social work tradition of the Welfare Department and is more of a hindrance to the rehabilitative social services that the Department is committed to perform.

This is the first time that I had actual contact with Miss Wright but in the past other welfare clients I have represented have complained to me bitterly about treatment they received when they came into contact with ~~the Unit Supervisor~~ her. In discussing this with other professionals in the field, they have related similiar incidents to me whereupon Miss Wright has been most unprofessional, uncooperative and outright insulting.

It is with great reluctance that I write to you concerning this matter but I do feel that this situation should be carefully investi-

The purpose of the Society is to render legal aid in the City of New York to persons who are without adequate means to employ other counsel.—*By-laws of The Legal Aid Society.*

gated in order to protect our clients from further abuse not to mention our own relationships with the Welfare Department.

March 30, 1967

Elanore Norton, Esq.
American Civil Liberties Union
156 Fifth Avenue
New York, New York

Re:State of Texas v Marion

Dear Elanore:

Last week I was visited by a gentleman with deep interest in the above entitled case. Seems the defendant is awaiting execution following a murder conviction. He is now represented by Warren Burnett, 310 North Lincoln, Odessa, Texas. Burnett is an attorney with a splendid civil liberties reputation, whom I believe is on your Texas committee.

He is interested in raising the question of the constituionality of the McNaughton rule. He feels not without justification, that McNaughton can be challenged on due process grounds, and that this may be the time to do so. He would appreciate any advice and assistance which you can forward.

Best regards to Ed.

Sincerely,

Stephen M. Nagler
Associate Counsel

SMN:n

April 3, 1967

Lloyd McAulay, Esq.
c/o Kenyon & Kenyon
165 Broadway
New York, New York

Dear Lloyd:

I do not have a copy of your papers on the motion to resentence Chris Sprowal. That means, a) you never gave me one or b) I mis-placed the one you gave me.

In any event, I would like to use them as a model for a similiar motion in the case of *People* v. *Herbert Callender.* As I would like to make this motion almost immediately, I would appreciate a copy of your papers as soon as practically possible (if need be, by messenger). I will try to complete *habeas* papers in Chris Sprowals case this week.

Sincerely,

Stephen M. Nagler

SMN:n

April 3, 1967

Robert Saginaw, Esq.
130 West 42nd Street
New York, New York

Re: People v. Herbert Callender

Dear Bob:

Enclosed please find a copy of the record in the above entitled case. As I mentioned on the phone, it is important that we make the following points in our motion papers:

1. That a new probation report which we request in the motion will show that Herb Callender has not been convicted of any serious crime since his sentencing.

2. That Herb is now a responsible member of the community. For that purpose you will have to interview Herb and find out what he has done since the time of sentencing. It will also be helpful to produce affidavits and documents, if not witnesses themselves to show Herb's good and upstanding character and "reformation".

I find that I do not have a copy of the papers on the motion to resentence in the case of People v. William Sprowal. I have asked the attorney who prepared these papers to forward them immediately and as soon as I receive them they will be passed on to you.

It is important that we be ready to proceed with this motion before Herb Callender is dragged of to jail. We can expect this to happen before the end of April, as the Supreme Court will probably dismiss his appeal.

Robert Saginaw, Esq.

Please keep in touch.

Sincerely,

Stephen M. Nagler

SMN:n
Enclsure

April 3, 1967

Lawrence J. Gross, Esq.
Assistant Attorney General
State Office Building
80 Center Street
New York, New York 10013

Dear Lonny:

I think your brief Reitman v. Mulkey is very good. I am told by those who have read briefs of other Amici in this case that it is much better than theirs.

Thanks for lending it to me, I am sorry I did not return it sooner.

Sincerely,

Stephen M. Nagler

SMN:n

P.S. Regards to Liz.

April 4, 1967

Brian Glick, Esq.
Center on Social Welfare
Policy and Law
409 West 117th Street
New York, New York 10027

Dear Brian:

Here is the text of the Constitutional Ammendment belonging in the Bill of Rights, the New York State Constitutional Convention:

> "The right to public assistance shall not be conditioned upon the waiver of any other constitutional or statutory right or any privilege."

I would love to have a copy of the report which your wife prepared for the SSEU used in their recent "seizure" of fact finding. Are there any other recent publications from your office which we have missed ?

Cordially,

Stephen M. Nagler

SNM:n

INTERDEPARTMENTAL NEIGHBORHOOD SERVICE CENTER
Office of the Mayor
145 WEST 125 STREET
NEW YORK 27, NEW YORK
MOnument 3-9590

ANE W. ROBINSON
Director

April 27, 1967

Mr. Steve Nagler
Congress of Racial Equality
200 West 135th Street
New York, N. Y.

Dear Mr. Nagler:

We have recently formed a committee of parents in lower Harlem who are quite concerned about the school suspension problem. Given the recent court decision by Judge Constance Baker Motley, of April 10, 1967 whereby a parent and suspended child are now entitled to legal counsel at a suspense hearing, we are now trying to obtain legal service for parents who cannot afford them.

We would very much like to speak with you about the possibility of your giving legal consultation to this committee and/or services to suspended children in our community. If you have any recommendations of colleagues who would also be willing to give of their time, we would appreciate their names.

Could you contact us as soon as possible. There are many children we know now who need their right to an education protected.

Thank you so much for your consideration.

Sincerely,

Mrs. Vivian Port
Staff Consultant

Sch

Mrs Walter Murphy, parent
Mrs. Viola Chapman
Mary Alice Jones

June 1, 1967.

Dear Steve,

Please inform me of the disposition of the Court Case regarding the S.S.E.U., in which I am involved. Do so at your convenience and leisure.

My San Francisco aunt is doing much better since my arrival here and supporting her should only require one or two months. (sic!)

My San Francisco address is:
1714 Fell Street
San Francisco, California.

It's pretty conservative out here in California, politically except for Haight-Ashbury and Berkeley. San Francisco is a very Cosmopolitan city with all the advantages and disadvantages of suburbia.

What's happening in New York? Did the city finally drop charges? Did the Union sign a Contract with the City yet? How

2,/

is the Mage & Company slate doing in office? Answer only if you like.

How's the mouthpiece business? I spent half a day at the Hall of Justice (S.F.) yesterday because a friend got busted for Hitch-hiking and Disobedience to An Officer - He Got two days which technically he served since he spent a foodless sleepless night in jail. No fine. Some pretty up-tight cops in Haight-Ashbury but most are pretty cool.

Well, Keep up the good work in New York and please get us off. None of us need a conviction.

Sincerely,
Larry J. Bercowitz
714 Fell Street
San Francisco, Calif.

June 6, 1967

From: Julian Brown, LSCRRC Summer Intern to Atty. John Due
Box 13137 University Station
Gainesville, Florida 32601

To: LSCRRC
156 Fifth Ave.
NYC 10010
and Mr. Steve Nagler
SEDFRE
150 Nassau St.
NYC 10038

Re: Welfare Rights

Miss Beartice Golden, Negro, citizen of Florida, lives at 830 Golden Street, Tallahassee. She began renting from Jack Green, May, 1966, an old house for $35.00 per month. In June 1966, she fell through a step and injured her leg. She hasn't been able to continue her employment as cook chef, at $60.00, since her injury. She is now unemployed and the landlord is threatening to evict her from the premises for non-payment of rent for three months.

Atty. Due advised her to go to the local welfare office for financial and medical assistance and also advised her that under the present law,landlords are not liable to tenants for injuries resulting from defective premises unless there had been an express duty to perform or had concealed facts which the tenant couldn't reasonably discover. She has been denied medical treatment and rental assistance. Atty. Due will proceed with the appeal.

Do you have any memos relating to this fact situation? Possible theories we see are a test case regarding this landlord-tenant relationship on the basis of a discriminatory Common Law for indigent~~s~~ persons; an equity theory that the common law is inadwquate where an unequal economic position results in unfair dealing; a questioning of welfare policy. We also would appreciate any information on what Miss Golden's specific rights are vis-a-vis the welfare department.

Also: what are projections for New York law in light of Fred Gray?

Appreciatively,

Julian Brown

Julian Brown

June 6, 1967

Mr. Larry J. Bercowitz
714 Fell Street
San Francisco California

Dear Larry:

I'm buried up to my eyes and so this will have to be short. On the last court date, the entire caseincluding your 1/22nd of it was dismissed by Judge Strong on motion by the D.A. As a result, you need never return to New York, if you don't want to. You're a free man !

Mage seems to be having a tough time with her Exec.Board. People who lost last election seem to be raising numerous technical problems for purpose of harrassment.

There is no contract yet and the union is contemplating a "work action" for June 19 over several issues on which friend Haber is giving them a bad time.

New York is .....

Keep in touch, for the hell of it!

Sincerely,

Stephen M. Nagler

SMN:n

FRANK M. DULAN
Mayor

Telephone 315 724-1396

UTICA COMMUNITY ACTION COMMISSION

MID-TOWN OPPORTUNITY CENTER
655 BLEECKER STREET
UTICA, NEW YORK 13501

ANTHONY J. DIODATI, Jr., Director

DR. ARTHUR KAPLAN
Chairman
REV. JACK EALES
Vice Chairman

KENNETH R. MOCHEL
Administrator
CARMEN F. ARCURI
Deputy Administrator

June 12, 1967

Mr. Steven Nagler, Attorney
150 Nassau Street, Room 1030
New York, New York 10038

Dear Mr. Nagler:

Six (6) of our staff are going to be involved in asking for fair hearings from the Welfare Department in regards to income recieved by O.E.O. plus Welfare. We are sending all the letters at the same time. We are also begining to organize a Welfare Rights Organization in four (4) of our neighborhoods.

Could you possibly send me information as to what other cities in New York State have done about the Welfare - O.E.O. income question? As of yet, we have no attorney to work with us. As we previously discussed, I may come running to you for help. The whole thing seems rather hazy right now.

Please drop a line and let me know when you will be coming to Utica.

Thank you.

Sincerely yours,

Arthea Kempf

Arthea Kempf
Temporary Director
Midtown Opportunity Center

AK/rs

July 25, 1967

Mr. Sam Clark
219 West 80th Street
New York, New York

Dear Mr. Clark:

Enclosed please find your rent checks and relocation allowance. Please acknowledge their receipt.

Thank you for your cooperation.

Very truly yours,

Stephen M. Nagler

SMN:n

July 25, 1967

Mrs. Pauline Michel
205 West 88th Street Apt. 10A
New York, New York

Dear Mrs. Michel:

Enclosed please find your rent checks and relocation allowance. Please acknowledge their receipt.

Thank you for your cooperation.

Very truly yours,

Stephen M. Nagler

SMN:n

August 11, 1967

Miss Arthea Kempf
Temporary Director
Midtown Opportunity Center
Utica Community Action Commission
655 Bleecker Street
Utica, New York 13501

Dear Arthea:

Please pardon the delay in answering your letter of June 12th. I know of only two fair hearings thus far on the O.E.O. income question in New York. One of them arose in Brooklyn and is being taken by our office. The other, I believe, is in Rochester.

There are other cases in Washington (state), Kentucky and New Jersey at various stages of development. We are primarily up against Federal Regulations which we believe violate the provisions of the Economic Opportunity Act by placing time limitations on the unrestricted (as to time) provisions of the E.O.A.

Brian Glick of the Columbia Center on Social Welfare Policy and Law, 401 West 117th Street, N.Y. 10027 is undoubtedly more up to date than I. I am sending him a copy of this letter.

You never know when I may turn up in Utica. Keep in touch.

Sincerely,

Stephen M. Nagler

SMN:n

August 15, 1967

Hon. Mitchell I. Ginsberg
Commissioner
New York City Department
of Social Services
250 Church Street
New York, New York 10006

Dear Commissioner Ginsberg:

Several months ago you stated at a meeting of the City Club that you had asked our organization to provide materials for distribution to clients informing them of their rights. On discussing the matter with Carl Rachlin, and others, I found that although you seemingly asked MFY for such materials, you had never directed such a request to us.

Notwithstanding your lack of a request, I submit the enclosed booklet for your consideration. It was prepared by Mrs. Shirley Lacey of our office for welfare recipients in Newark, New Jersey. With relatively little adaptation it could be used in New York.

In any event, your comments on the booklet would be greatly appreciated.

Very truly yours,

Stephen M. Nagler

SMN:n
Enclosure (1)

August 18, 1967

Hon. Mitchell I. Ginsberg
Commissioner
N.Y.C. Dept. of Social Services
Dept. of Welfare of the City of New York
250 Church Street
New York, New York

Dear Commissioner Ginsberg:

The news of your elevation to the post of Administrator of Human Resources came as a surprise. As Commissioner of Welfare, your energy, humanity and good will produced basic changes in the lives of welfare recipients in this city. Your example, it is hoped, will not be forgotten. I am sure that your ability will make an equally significant mark on the Human Resources Administration.

Although we have had our differences in the past, please accept my sincere congratulations and best wishes on your new appointment.

Sincerely,

Stephen M. Nagler

SMN:da

Hyman Lev

SCHOLARSHIP
EDUCATION AND
DEFENSE
FUND FOR
RACIAL EQUALITY inc.
150 NASSAU STREET
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

Meeting - Wed - 11:15
Miss Brophy's Room
14th Fl. C-0

September 12, 1967

Hon. Mitchell I. Ginsberg
Commissioner
New York City Department of
Social Services 250 Church Street
New York, N.Y.C. 10006

Dear Commissioner Ginsberg:

I have just finished reading a copy of the statement on housing which you delivered to the Joint Legislative Committee on Housing last February.

I think that it is an excellent statement and I am in agreement with everything contained in it. However, there are several observations, based on our recent experience with clients, which I should like to add.

1. Refusal of Landlords to Accept Welfare Tenants.
We can have no sympathy with the landlord who characterizes welfare recipients as unfit for decent housing. In so far as this is a basis for refusing to accept welfare tenants, we deplore it. Frequently, however, landlords who will accept people of limited financial means, will not accept welfare recipients for far different reasons. All too often the supposedly "guaranteed" rent of the recipient is removed from the budget, mistakenly "readjusted", or otherwise delayed or lost. If these problems were related to the need of the client or the elimination of violations, they would be understandable, but more frequently, the problem arises from honest error or arbitrary action somewhere along the chain of command. Even a simple change of caseworkers or other personnel may be the cause. Other factors, having nothing to do with the landlord-tenant relationship may produce such side effects. Whatever the cause, landlords are influenced by such difficulties to refuse to rent to welfare recipients. Whatever the cause, many landlords do not want welfare recipients as tenants. For that reason, "public interest" agencies as well as

Contributions are deductible for income tax purposes

president; Andrew E. Norman ▪ vice presidents; William S. Ellis, Nannette Sachs ▪ secretary; Ezra Levin ▪ treasurer; Shelley Appleton ▪ executive director; Marvin Rich ▪ leadership development director; Ronnie M. Moore ▪ legal director; Carl Rachlin ▪ BOARD OF DIRECTORS; Nils R. Douglas, chairman ▪ Robert Ausnit ▪ James Baldwin ▪ Katrina McCormick Barnes ▪ Canon James P. Breeden ▪ Robert Curvin ▪ Charlotte Devree ▪ Robert F. Drinan, S. J. ▪ John Henry Faulk ▪ Michael O. Finkelstein ▪ Doris Freedman ▪ Dr. Edward L. Gibson ▪ James T. Harris ▪ Claude Heckscher ▪ Norman Hill ▪ Clarence B. Jones ▪ Dr. Archie Lacey ▪ Joann List Levinson ▪ Leon Modeste ▪ Henry Morgenthau, III ▪ Dr. William Stuart Nelson ▪ Richard J. Schwartz ▪ Elaine Slater ▪ Norman Thomas ▪ Rowland Watts ▪ Pearl L. Willen

490

some real estate brokers conceal the fact that a prospective tenant is a welfare recipient. This is often necessary if recipients are to find desirable accomodations. When and if the landlord discovers subsequently that his newly established tenant is on welfare, he has no remedy. The lease has been signed and the tenant is settled. The lease says nothing either way about welfare, and so the tenant is in no danger. Frequently, however, welfare personnel do not cooperate with the "conspiracy of silence". This has the unwanted effect of protecting landlords from their unjustified fears. The forewarned landlord may reject the recipient-tenant out of hand, and usually does. The result again is the loss of decent housing.

2. Welfare Recipients Can't Compete For Good Housing. When a welfare recipient finds housing which he or she deems satisfactory for family needs, the recipient must come to the welfare center to secure approval. The caseworker, if available, then seeks approval from a unit supervisor, who then may consult the housing advisor. The process by which the recipient secures rent, security and moving expenses, may take several days, particularly where any of the personnel involved are not both diligent and benevolent. If a broker's fee is required the delay increases and the likelihood of approval diminishes. If there is anything unusual about the situation, it is likely to be hopeless. If the rent requires a higher level of approval, as better housing often does, more personnel and their peculiar characteristics must be considered as well as the time required for their examination of the circumstances. It is surprising to find that so many relatively reasonable rents are disapproved at secondary levels. Frequently, a rent requiring case-supervisor approval for example is disapproved with the invocation that the recipient be advised to keep looking for something cheaper. The unavailability of decent housing at cheaper rentals is not taken into account. Furthermore, if any person in the chain of command disapproves a rental, the approval of every other welfare employee below that level, and the prospective approval of every employee above that level who has not been consulted are voided. Thus, a rental requiring senior-case supervisor approval must be favorably considered by everyone in the chain of command up to that level. If anyone says "no" the approval of ALL others fails. Frequently, it appears that mere delay in securing approval rather than outright disapproval of a rent level causes the loss to welfare recipients of decent housing accomodations.

The rather startling result of all this is that frequently a welfare recipient can more readily secure approval of poor housing than of good housing.

It must be remembered that good housing at a low rental is in very short supply. Under the circumstances of delay encountered by welfare recipients, they cannot hope to compete for housing of reasonable quality with families not receiving public assistance who can pay cash on the spot.

3. Welfare Sometimes Hinders Tenants' Legal Remedies

Welfare is commonly regarded as a primary contributor to the support of slum housing and its owners. Although some of the worst dwellings are listed as "no referral" buildings, records are sorely outdated and communication with the Department of Buildings is poor. On the whole, the system is ineffective and clients are commonly referred to buildings with hazardous violations. Enforcement of the rent abatement provisions of the Spiegal Act is feeble at best.

Of equal import is the fact that recipients efforts to improve their living conditions are sorely handicapped by Departmental practices and policy. It is not uncommon for a welfare recipient resident in a building with serious violations to withhold rent and inform the landlord that she will continue to do so, until the violations are corrected. If she is foolish enough to inform welfare personnel, the rent will almost undoubtedly be removed from her budget. If at this point a lawyer from the Welfare Department was provided, no harm would be done, but this is almost never the case. Indeed the recipient presenting a "disposses" to her caseworker is fortunate if it is returned to her . In any case, the rent having been removed from the client's budget, the client is sent off to fend for herself. If she secures the aid of counsel and an order is sought pursuant to 755 of the R.P.A.P.L. that the rent money be paid into court, the recipient is handicapped by not having the money to pay to the court. A welfare recipient participating in a "rent strike" under Article 7-A of the R.P.A.P.L. encounters similiar difficulties. In short, clients who seek to better their housing conditions through the remedies provided by law, are severely handicapped by welfare practice.

I think that there are some remedies for the ills discussed above. Fuller utilization of facilities available in the community and an improvement in the social service training of personnel in the problems common to clients would help. Provision of wider departmental legal services to clients along the lines of those provided in Nassau County would also be helpful. However, I feel that most of the other remedies required lie in the area of liberalization and simplification of departmental procedures. I would appreciate having your comments about this.

Very truly yours,

Stephen M. Nagler

Stephen M. Nagler

cc: Hon. William J. Diamond, Esq.
Beulah Sanders

October 2, 1967

Stanley Posess, Esq.
305 Broadway
New York, N.Y.

Dear Mr. Posess:

Enclosed is a check for $172.55. I am terribly sorry that I promised more than I could deliver on Friday. I simply did not know the size of the bill on the Walker case. I will try to get an additional payment to you in a few weeks, but we are in a terribly tight bind right now.

Sincerely,

Marvin Rich
Executive Director

Enclosure: (1)
check #2175

W-1D

The City of New York

1664

DEPARTMENT OF SOCIAL SERVICES
250 CHURCH STREET, NEW YORK, N. Y. 10013
Telephone: 344-8700

MITCHELL I. GINSBERG, *Commissioner*

October 9, 1967

Mr. Stephen M. Nagler
SEDF for Racial Equality
150 Nassau Street
New York, N. Y. 10038

Dear Mr. Nagler:

I appreciate your thoughtful note about my appointment to the Human Resources Administration.

Please accept my belated thanks for your good wishes.

Sincerely,

Mitchell I Ginsberg

Mitchell I. Ginsberg
Commissioner of Social Services

MEMORANDUM

November 1, 1967

cc: Charlotte Devree

TO: Steve Nagler

FROM: Marvin Rich

SUBJECT: Welfare Information

Would you please give me an indication of the benefits which we have secured for welfare recipients in the minimum standard campaign. I would like to know how many cases have been settled, the average amount or at least the range of grants, and the total value you place on them. This could be most useful.

WHITEHALL 4 9000

FOUNDED 1801
New York Post
75 WEST STREET · NEW YORK, N. Y. 10006

December 2, 1967

Mr. Andrew E. Norman
Scholarship, Education and Defense Fund
for Racial Equality Inc.
150 Nassau St.
New York, N.Y.

Dear Mr. Norman:

Into a series goes many hours of talking with literally hundreds of people of all persuasions, from whom one gets -- finally -- a perspective.

In a series I did on welfare, Carl J. Rachlin and Stephen M. Nagler, of SEDF, were particularly dedicated in their work and helpful to me.

I feel indebted to them and to your group. The series suffered from such limitations of space that I had to leave out many pertinent facts, and I did not get to describe fully the work of SEDF, Mr. Rachlin and Mr. Nagler. But I want you to know I am grateful.

Perhaps there will be other occasions when I can more fully explore SEDF's valuable advocacy of the poor and unfranchised. I would like that.

Meantime, any way I can help you or your dedicated staff, please let me know.

Sincerely,

Bill Burrus

CC: Carl J. Rachlin
Stephen M. Nagler

SELECTIVE SERVICE SYSTEM

LOCAL BOARD NO. 12
8 BANK STREET
PEEKSKILL
NEW YORK 10566

(LOCAL BOARD STAMP)

IN REPLY, REFER TO:

November 3, 1967

Mr. Stephen M. Nagler
Scholarship Defense & Educational Fund
for Racial Equality
150 Nassau Street
New York, N.Y. 10038

Subject: BOYER, Alexander B.
SS# 30 12 43 944

Dear Mr. Nagler:

In your letter of May 2, 1967 you advised us of an appeal still pending for the above subject registrant.

Would you kindly advise this office of the current civil status of this case.

Thank you for a prompt reply as this information is needed for classification purposes.

By Direction:
Local Board No. 12

Marie Mastrianna

(Miss)Marie Mastrianna, Ass't Clerk

November 20, 1967

Miss Marie Mastrianna
Assistant Clerk
Local Board No. 12
8 Bank Street
Peekskill, New York 10566

Re:BOYER, Alexander B.
SS # 30-12-43-944

Dear Miss Mastrianna:

Sadly, there is little to report regarding the appeal about which I wrote to you previously. Shortly after my letter of May 2, 1967, we discovered that the minutes of the trial were deficient in certain respects and have been attempting to correct these deficiencies since then. A similiar case to that of Boyer was recently decided nearly a year after the appeal had been perfected. Boyer's appeal, due to the problem mentioned above has still not been perfected. The cause was mentioned in my last letter and continues to be a problem.

No one, including Mr. Boyer, likes to have these things drag out. It's a matter of deep regret that I am unable to inform either you or him of progress.

Please contact me again if I may be of further assistance.

Very truly yours,

Stephen M. Nagler

SMN:n

December 14, 1967

Stanley Possess, Esq.
305 Broadway
New York, N.Y.

Dear Mr. Possess:

Enclosed, please find a check in the amount of $200 representing partial payment on the balance due of $416.15, from a total bill of $588.70. This second payment of $200 leaves a new balance of $216.15. Further payment will not be made until sometime after the first of January, 1968.

Sincerely yours,

Mrs. Jacqueline Turner
Executive Turner

Enclosure as stated
check #2394

The City of New York
Human Resources Administration

REPORT TO THE STAFF
FROM: Mitchell I. Ginsberg, Administrator December 28, 1967

I am very much aware that in an organization the size of HRA, it is impossible for me to have as much direct contact with individual staff members as I would like. One alternative is a report such as this -- issued regularly -- in which I can share with you my thinking and my view of what is happening at HRA. There may well be other approaches to this problem of communication and I would welcome suggestions from any of you.

My first three weeks at 100 Church Street have brought me a keener understanding of the problems we all face in getting our jobs done. The problems are certainly varied -- ranging from lack of sufficient funds to serious organizational difficulties. Making a start on overcoming some of these difficulties is going to take time and hard work from all of us.

Mitchell Sviridoff, Henry Cohen, the commissioners and many others have given me comprehensive briefings on HRA's outstanding structural and program questions. They require immediate attention. A key requirement is to clarify who is responsible for what, and then to expect that person to do the job.

Our goal will be to make HRA a more effective instrument in coordinating and, to the degree possible, in integrating the work of its component units -- CDA, MCDA, the Department of Social Services, the Youth Service Agency (which includes the Youth Board), the Addiction Services Agency and the Office of Education Liaison.

Only to the extent that HRA develops this capacity can it and its agencies fulfill their primary mission: to focus a comprehensive and coordinated attack on the causes of poverty.

December 18

I very much regret the action of the United Black Anti-Poverty Front in calling for a "Black Holiday" on December 18. The resulting work stoppage, leading to the loss of a day's pay by the participants, benefited no one.

It is unfortunate that some of you felt that such a walkout was necessary to bring your concerns to my attention. I want to make it clear that I will always give full consideration to grievances submitted by any staff member and that under no circumstances would I tolerate any racial discrimination in this agency or any agency for which I had responsibility.

The UBAF first presented its grievances to me at a meeting in November, several weeks before I assumed responsibility for HRA. When I took office, I assigned Deputy Administrator Carl McCall to investigate the complaints and to submit a report for my consideration and action. The report will be completed shortly.

The UBAF's allegations that there has been discrimination at HRA in the hiring and promotion of Negroes are being thoroughly investigated. If any evidence of such discrimination is disclosed, you may be sure that I will take immediate and appropriate action.

-OVER-

Some of the other issues raised by the UBAF are also being thoroughly discussed. The complaint of a lack of training for clerical staff raised an excellent point. Such training is, of course, essential and a program is currently being developed.

The Operating Budget

HRA's budget staff is hard at work preparing the agency's 1968-69 presentation. Copies of the budget message will be made available as soon as possible. The deadline for submission of the budget is January 3.

I would suggest that supervisors meet with their staffs to discuss the budget. Every employee of HRA should have a clear understanding of what we hope to accomplish, as reflected in the figures and projections for various programs.

Social Security Bill

Despite intensive efforts to defeat or amend it, the compromise Social Security bill was approved this month by Congress. Many of us worked hard to change this regressive legislation because we firmly believe that its major provisions will severely damage social welfare programs throughout the country.

The bill places a freeze on Federal contributions to the care of ADC children; it restricts the T-ADC program that aids families with unemployed fathers; it encourages states to force ADC mothers into work and training programs whether or not it is in the best interests of their families; and it cuts back Federal contributions to our Medicaid program.

By curtailing Federal sharing in welfare costs, the bill now forces cities and states -- themselves hard-pressed financially -- to make some agonizing decisions. They can somehow try to make up for the missing Federal money with local funds, or they can decide to reduce welfare grants and services. The full consequences of the legislation will become clearer in the months ahead, but we can be sure now that the consequences will be serious for us all.

DISTRIBUTION: HRA Staff AR-1-67

WHITEHALL 4-9000

FOUNDED 1801
New York Post
75 WEST STREET · NEW YORK, N.Y. 10006

[Dec. 1967]

Dear Steve,

I really mean it. If I can help in any way, please let me know.

Regarding SEDF mentions, I had both you and Carl Rachlin additionally in Part 3 on "the cheats." But at the last minute, while I was away, the editor killed these and a few other paragraphs out in order to include a second picture.

I'm grateful for your help, and impressed by your dedication. Even impressed by your sanity, since almost all else out there in the welfare world seems so insane.

Best regards,

Bill

Bill Burrus

COPY COPY

February 7, 1968

Theodore Ranzenhofer, Esq.
RANZENHOFER & GOLDBERG
272 East 149th Street
Bronx, N.Y.

Re: Stephen M. Nagler
D/A: 12/22/67

Dear Sir:

Stephen M. Nagler has been in our employment throughout the period in question. Examination or records indicate that he took one weeks from vacation from December 25th through December 29, 1967.

From January 2, through January 4th, he was out due to a back and neck injury for a substantial partof each day. He was absent from work completely on January 12, and January 17th and January 18th for the same reasons.

Sincerely yours,

Marvin Rich
Executive Director

February 7, 1968

Hon. Jack R. Goldberg
Commissioner
New York City Department
of Social Services
250 Church Street
New York, New York 10013

Dear Commissioner Goldberg:

We know of your interest in "humanising" the services of your department. It will take much time for such intentions to produce meaningful results, particularly in light of the nature and complexity of current regulations, structure and standards, and the poor quality of training. We congratulate you on your opportunity and give you our best wishes in achieving the results you desire.

Very truly yours,

Stephen M. Nagler

SMN:m

W-1D

The City of New York

1664

DEPARTMENT OF SOCIAL SERVICES
250 CHURCH STREET, NEW YORK, N. Y. 10013
Telephone: 344-8700

JACK R. GOLDBERG, *Commissioner*

February 13, 1968

Mr. Stephen M. Nagler
Scholarship, Education and Defense Fund
for Equality, Inc.
150 Nassau Street
New York, N.Y. 10038

Dear Mr. Nagler:

Thank you for your thoughtful note about my appointment to the Department of Social Services.

I deeply appreciate your kind words and good wishes.

Sincerely,

Jack R. Goldberg, Ed.D.
Commissioner of Social Services

SSE

SOCIAL SERVICE EMPLOYEES UNION
DEPARTMENT OF SOCIAL SERVICES
932 BROADWAY - NEW YORK, N.Y. 10010
OR7-3900

President
JUDITH MAGE
First Vice-President
STANLEY HILL
Second Vice-President
BARTON COHEN
Third Vice-President
JOHN BENSON
Fourth Vice-President
KLYDE SINGLETON
Corresponding Secretary
JUDITH KAHAN
Treasurer
EDWARD PERLMUTTER

March 14, 1968

Mr. Steve Nagler
Southern Conference Educational Defense
Fund
150 Nassau Street
New York, New York

Dear Stephen:

I would like to bring to your attention the fact that the Fair Hearing bill was introduced by Mr. Yoswein and Mr. Seymour. (See enclosure)

I suggest that you contact any party that might be interested in this particular bill.

Sincerely,

Ed

Edward Perlmutter, Treasurer
Legislative Representative
Social Service Employees Union

EP:rh
Encl.

March 21, 1968

Stanley Posess, Esq.
305 Broadway
New York, N.Y. 10007

Dear Mr. Posess:

Enclosed, please find our check in the amount of $216.15 representing the balance due for services rendered with regard to the Joseph Walker case.

Thanks so much for your patience and understanding in awaiting final payment.

Sincerely,

Jacqueline Turner (Mrs.)
Executive Secretary

Enclosure as stated
check #2774

Called

Lola:
Please call (See Below).
Steve

Columbia University in the City of New York | New York, N.Y. 10027

GRADUATE SCHOOL OF JOURNALISM
Office of Special Programs

Journalism Building

May 20, 1968

Dear Mr. Nagler:

The luncheon honoring Bill Burrus of the New York Post has been rescheduled to Tuesday, June 11th, at 12:30 p.m. in the President's Room of the Faculty Club, 117th Street and Morningside Drive.

As you know, Mr. Burrus is to be the recipient of the Paul Tobenkin Memorial Award for his series, "Our Welfare Crisis." This honor brings with it a cash award of $250 plus a certificate honoring his "outstanding achievement in the field of newspaper writing in the fight against racial and religious hatred, intolerance, discrimination and every form of bigotry, reflecting the spirit of Paul Tobenkin."

We hope that your schedule permits you to be with us for this special occasion.

With very best wishes, I am

Cordially,

Louis Cowan

Louis G. Cowan
Director

rg/

Mr. Stephen M. Nagler
Associate Legal Director
Scholarship, Education and Defense Fund for Racial Equality
150 Nassau Street
New York, N.Y.

R.S.V.P. Mrs. Krasny
280-3870

Yes

ZWERDLING, MILLER, KLIMIST & MAURER
ATTORNEYS AT LAW
3426 CADILLAC TOWER
DETROIT, MICHIGAN 48226
WOODWARD 5-5060

A. L. ZWERDLING
BRUCE A. MILLER
SHELDON L. KLIMIST
GEORGE M. MAURER, JR.
HARVEY CHAYET
WILLIAM C. PANZER
MICHAEL ADELMAN
GERALD E. THURSWELL

RECEIVED
JUN 27 1968
SEDF

June 27, 1968

Mr. Oscar Stephans
502 West 147th Street
New York, New York

Re: Robert Z. Robinson -vs- The Estate of Bernice Robinson and Oscar Stephans

Dear Mr. Stephans:

Please be advised that Mr. Panzer is no longer with this office and that the undersigned is now handling your case. We acknowledge receipt of your letter of May 7, 1968 and herein will answer the questions you posed in that letter.

Bernice Robinson died owning two houses but they were not owned by her alone. Those houses were owned by tenants by the entireties. That means that when Bernice Robinson died her interest in those houses automatically by operation of law went to her surviving husband and are thus not in her estate. The only assets that are in the estate of Bernice Robinson are the monies that were in a bank account. There was approximately $4,311.80 in the Detroit Bank & Trust Company. There is a substantial question whether or not that money was the deceased's alone, or if she was just holding it in trust for Robert Z. Robinson. As you know, a suit was commenced in the Circuit Court for the County of Wayne by Robert Z. Robinson wherein he stated that that money was his alone and was merely being held in trust by the deceased Bernice Robinson. Robert Z. Robinson, by his attorneys, is presently willing to settle his claim against the Estate of Bernice Robinson and yourself, and he is willing to pay you $1,000.00. It is our opinion that this offer is fair and reasonable, and thus, we would recommend that you accept it.

June 27, 1968
Page #2
Mr. Oscar Stephans
Re: Robinson -vs- Stephans

Our fee in connection with this matter will be one-third (1/3) of the amount recovered or $333.00. You would net $667.00 if you were to accept the proposed settlement. We took your case on a contingent fee basis. That is, if we were successful in your claim we would receive one-third (1/3) of any amount recovered. If we were unable to recover anything our fee would be zero.

Please contact me as soon as possible and inform me whether or not you wish to accept the above settlement offer. Please be advised that if you were completely successful in the prosecution of the above suit, you would, at the most, be able to collect approximately $2,500.00. Therefore, I again recommend that you accept the sum of $1,000.00 in full settlement of your claim against the Estate of Bernice Robinson.

If you have any questions please feel free to contact me.

Sincerely,

Gerald E. Thurswell

Gerald E. Thurswell

GET:er

cc: Stephen M. Nagler, Esq.
S.E.D.F.
150 Nassau Street
New York, New York, 10038

Call Monday 8/12/68

RANZENHOFER & GOLDBERG
~~THEODORE RANZENHOFER~~

ATTORNEY AT LAW

—

~~XXXXXXXXXXX~~
585-6144

2/7/68

RECEIVED
JUL 15 1968

272 E.149th St.
~~XXXXXXXXXXXXXX~~
~~XXXXXXXXX~~ N. Y.
Bronx

July 11, 1968

[illegible]

Scholarship, Education and
Defense Fund for Racial Equality, Inc.
150 Nassau Street
New York, N.Y.10038

Salary

Re: Stephen M. Nagler
D/A: 12/22/67

Gentlemen:

I am the attorney for the abovenamed in connection with claims for personal injuries sustained in an accident which occurred on December 22, 1967.

I have been informed that my client was in your employ at the time of the said accident and was disabled from working as a result of the injuries sustained in the said accident.

I would, therefore, appreciate your sending me a statement on your own stationery setting forth the days on which my client has been absent from work since the date of the said accident, together with a statement as to the amount deducted from the earnings of my client as a result of such absence from work.

Used vacation time 'Vacation Pay. One week's pay lost.

Thanking you for your courtesy, I am

Very truly yours,

RANZENHOFER & GOLDBERG
By: Theodore Ranzenhofer
THEODORE RANZENHOFER

TR: hp

P.S. Although you sent us a reply, you neglected to mention what the weekly earnings of your employee was. Kindly advise. on your own stationery Thank you.

TR

August 13, 1968

Theodore Ranzenhofer, Esq.
RANZENHOFER & GOLDBERG
272 East 149th Street
Bronx, N.Y.

Re: Stephen M. Nagler
D/A: 12/22/67

Dear Sir:

With regard to your letter of July 11th on the above-captioned matter, please be informed that Stephen Nagler during the period in question from December 22, 1967 until approximately January 20, 1968 earned $160 weekly. Mr. Nagler's absence from work resulted in his use of accrued vacation time or the equivalent of two weeks' full salary, plus one additional day.

Sincerely yours,

Marvin Rich
Executive Director

SEDF

STEPHEN M. NAGLER
c/o Keller
133-27 Sanford Avenue
Flushing 55, New York
Telephone: FL 8-9165

PERSONAL DATA

Date of Birth: April 9, 1938 Married No children

Draft Status: 2A

Passed New York State Bar Examination July, 1962 (admission pending -- expected March, 1965).

EMPLOYMENT

1. 10-62 - 12-64 U. S. Peace Corps — Volunteer
Washington 25, D.C.

Duties: Teaching geography secondary school in Malawi (Central Africa). Also wrote a chapter on "Trial Within a Trial" for Malawi "Magistrates' Handbook on Criminal Procedure" and organized a self-help road maintenance and tree-planting project.

2. 11-61 - 5-62 Geist, Netter & Marks — Law Clerk
276 5th Avenue
New York, N.Y.

Duties: Serving and filing of legal materials, library maintenance; some research.

3. 2-59 - 5-59 Wilt-Wyck School — Counselor
Park Avenue South
New York, New York

Duties: Supervising boys referred by Childrens Court.

EDUCATION

N.Y.U. School of Law
Washington Square
South,
New York, N.Y.

LL.B., June, 1962

Activities: Moot Court ("A" Division) -2 rounds; Phi Alpha Delta Law Fraternity.

Awards: 1st Year - Partial Scholarship
2nd Year - General Rem. Scholarship

EDUCATION (Cont'd)

City College of New York 137th St. & Convent Ave. New York, N.Y.	B.S., Meteorology Activities: (Condensed list.) Student Government: Pres., V.P.; "Mercury" Magazine: Editorial Board; House Plan Assoc.: Managing Board; CCNY Public Affairs Forum: Founder & Chairman; National Student Assoc.: National Executive Committee, Head of CCNY Delegation, Chairman of First Penta-Regional Conference. Awards: Student Council Major Award; Oscar Buckvar Award 1958 (for outstanding leadership in student government); Pick & Shovel Honorary Society.
Stuyvesant High School 15th Street & 1st Ave. New York, N.Y.	Academic Diploma, June, 1954 Activities: New York Championship Chess Team: Captain; "Vector" Physics Magazine: Editor-in-Chief; Math Team. Awards: Gold Service Certificate 4th Prize - New York City Individual Chess Championships.

COMMUNITY ACTIVITIES

Queens County Students for Kennedy-Chairman--
Directed a 500-member campaign organization;
Queens County Young Democrats-Chairman.

[n.d.]

Tuesday

Warren
[illegible]

I would like consideration of the request for an additional atty made by me about 1 month ago

R

M E M O R A N D U M

TO: CARL RACHLIN

FROM: STEPHEN M. NAGLER

RE: Minnimum Standards Welfare Cases

Commissioner Louchheim and Felix Infausto (Counsel to the Social Service Department of Social Welfare), want to meet with us on Friday to arrange a schedule for the 731 minimum standard Fair Hearings requested by our client City Wide Coordinating Committee for Welfare Groups.

With the present lack of adequate volunteer support on welfare cases I don't see how we will ever be able to handle 731 hearings.

This is unconscionable. These requests were made with an understanding of our staff possibility & our income. There is no possibility of hiring an additional attorney for some time to come. These cases must be handled by volunteers & existing staff

MONDAY, OCTOBER 11, 1965

TAXI TO QUEENS CRIMINAL COURT	$1.50
TELEPHONE TO 1) OFFICE 2) N.Y. ASSISTANT D.A.	.20

TUESDAY, OCTOBER 12, 1965

WEDNESDAY, OCTOBER 13, 1965

TAXI TO QUEENS CRIMINAL COURT	$1.50
TELEPHONE TO 1) OFDICE 2)ATTORNEY GENERAL	.25

THURSDAY, OCTOBER 14, 1965

FRIDAY, OCTOBER 15,1965

MONDAY, OCTOBER 18, 1965

TAXI TO QUEENS D.A.'s OFFICE	$1.50
TELEPHONE TO 1) OFFICE 2) SIMON ROSENZWEIG	.20

TUESDAY, OCTOBER 19,1965

SUBWAY TO GRAND CENTRAL (NEW ROCHELLE MEETING)	.15
RETURN, AND TELEPHONE CALL	.25

WEDNESDAY, OCTOBER 20, 1965

THURSDAY, OCTOBER 21, 1965

TAXI TO LA GUARDIA (SYRACUSE)	$2.00
TELEPHONE TO OFFICE	.10

FRIDAY, OCTOBER 22, 1965

BUSES RE SYRACUSE EVIDENCE (PEOPLE V. HUTCHINSON)	.75
TELEPHONE TO: SIX WITNESSES AND DEFENDANTS	.75
TAXI HOME FROM LA GUARDIA AIRPORT	$2.00
FILING FEE ON N.Y. MOTION (SUPREME COURT).	$5.00
TOTAL =	$16.15
PLUS 2 CALLS (ON THURS. AND FRI. 10/21, 10/22) SYRACUSE TO NEW YORK	$2.55
TOTAL	$18.70

PLUS 2 AIR TICKETS (TO SYRACUSE AND RETURN) $17.69 x 2 = $35.38

GRAND TOTAL = $54.08

Pd 10/29/65
Ck#110

OK
MR

DISCLAIMER NOTE

A lengthy, itemized, expense account located in this file has not been filmed. Most entries are trivial; several however note meetings with specific individuals or specific points on business trips. The original may be found at the Archives Division, State Historical Society of Wisconsin.

Expenses of S. NAGLER FOR Nov., 1965

CASE		
	MONDAY, 11/1	
W.F.	TAXI TO QNS. CR. CT	$1.60
" "	TEL. TO OFFICE	.10
	~~TUE~~ WED, 11/3	
SYRACUSE	SUBWAY TO LIBRARY	.15
	COLLECT CALL FROM SYRACUSE.	
	MON, 11/8	
SYR.	COLLECT CALL FROM SYRACUSE (AT HOME)	3.55
	LOCAL CALLS RE SYRACUSE	.40
	WED. 11/10	
W.F.	TAXI TO USDC & SUBWAY RETURN	2.65
	FRI., 11/12	
W.F	TAXI TO QNS. CR. CT.	1.55
"	TEL. CALLS	.30
	~~MON~~ TUE, 11/16	
W.F.	TAXI TO QNS. CR. CT	1.55
PEOPLE V. EPSTEIN	TEL. FROM N.Y. CR. CT. TO OFFICE.	.20
SYR	TEL. TO SYRACUSE (FROM HOME)	6.00
	WED, 11/17	
WF	TAXI TO USDC RE SKLAR & SUBWAY.	2.65

Add

Paid

People v. Crayton

Marvin:

This young lady who did the typing has been most patient as has J.S. can this be taken care of fairly quickly

Steve

Steve

She may have been patient but I have been abused. This is the first time that I have seen any of these bills. Further the hourly rate is excessive. We must make adequate provisions so that these things do not recur

Marvin:

Quite right on all counts, but we are dealing with an established fact. I am advising John of your quite proper objections & we will avoid them in the future.

S.

For Five weeks of work

Payment for week of

November 13	$ 30
November 20	$ 30
November 27	$ 30
December 4	$ 30
December 11	$ 30
	150

#1113 pd 12/12/66

Stephen Schlakman

Note: I will not be here after this week until first week of February.

THE FOLLOWING PAGES ARE THE BEST AVAILABLE.

JAN 26 1963

CHECKI & POLITAN
COUNSELLORS AT LAW
201 STUYVESANT AVENUE
LYNDHURST, NEW JERSEY
WEBSTER 9-1550

JAMES D. CHECKI, JR.
NICHOLAS H. POLITAN

RECEIVED
JAN 23 1963
VLADECK & ELIAS

January 22nd, 1963

Vladeck & Elias, Esquires
280 Broadway
New York, New York

ATTENTION CARL RACHLIN, ESQUIRE

Re: CORE

Dear Mr. Rachlin:-

Pursuant to your conversation with my partner, I submit to you the following information concerning CORE litigation in New Jersey:

On December 16th, 1962, I was called by Mrs. Sally Elliot, Chairman of the Bergen County CORE group and asked to represent them in the Magistrate's Court in Edgewater, with reference to a trespassing complaint filed against three CORE members. I appeared on that evening and had the matter postponed until Friday, December 21st, 1962.

On the return day, I tried the case and was successful in obtaining an acquittal of all three defendants. During this time, Mrs. Delia David filed a complaint with the Commission on Civil Rights with reference to a discrimination in housing in the Edgewater apartment. After several conferences of preparation, I did appear in that proceeding on Friday, January 11th, 1963, and Tuesday, January 15th, 1963. The determination in that case is awaiting the hearing examiners' findings of fact and conclusions of law. I might add in this regard that approximately thirteen hours of trial were required.

Subsequent thereto, Mr. and Mrs. David were served with a Summons and Complaint in ejectment, a copy of which I enclose herewith. In addition, a number of members of CORE were served with a Summons and Complaint, which demanded an injunction and compensatory and punitive damages. I also enclose a copy of that.

Both of these complaints seem to indicate that protracted litigation will be involved, and particularly in the latter complaint, fundamental issues concerning CORE and the right of its members to utilize "direct action" in attaining its goals there indicated.

In light of the nature of the complaint and the financial situation concerning this chapter of CORE, it would appear that financial assistance from the national office is required. In that regard, suffice to say that there will be many motions made, extensive depositions and interrogatories utilized and a lengthy trial.

To date, we have received $50.00 in fees from the group and feel that additional sums are necessary to prosecute the litigations to a successful conclusion.

If you have any questions, please contact us, and I will be happy to furnish you with any details that you would like.

Very truly yours,

CHECKI & POLITAN

By

Nicholas H. Politan

NHP:- edp
Enclosures

JAN 26 1963

VLADECK AND ELIAS
COUNSELLORS AT LAW
280 BROADWAY
NEW YORK 7, N. Y.

STEPHEN C. VLADECK
SYLVAN H. ELIAS
JUDITH P. VLADECK
CARL RACHLIN
WILBUR DANIELS

SHELDON ENGELHARD

WORTH 2-5105

January 25th, 1963

Mr. Richard Haley
Congress of Racial Equality
38 Park Row
New York, N. Y.

Dear Dick:

Enclosed is a letter from Checki & Politan. The new actions in Jersey are important and undoubtedly will be time consuming. Will Jersey pay the bill? These fellows will be reasonable, but I suppose they have a right to know about their fee.

I will be glad to discuss this with you.

Cordially yours,

Carl

CARL RACHLIN

CR:rk
cc: J. Farmer
    G. Carey

JAN 2 6 1963

VLADECK AND ELIAS
COUNSELLORS AT LAW
280 BROADWAY
NEW YORK 7, N. Y.

STEPHEN C. VLADECK
SYLVAN H. ELIAS
JUDITH P. VLADECK
CARL RACHLIN
WILBUR DANIELS

SHELDON ENGELHARD

WORTH 2-5105

January 25th, 1963

Nicholas H. Politan, Esq.
Checki & Politan, Esqs.
201 Stuyvesant Avenue
Lyndhurst, New Jersey

Re: Vesta Co.

Dear Mr. Politan:

Thank you for the copies of the complaint in Vesta vs. David and Senger vs. Elliott.

By the way, you might look at the March, 1962 Columbia Law Review. There is a note "Extra Legal Censure" Bearing on the issues raised in the Senger case. Aside from the question of slander or libel, the issue seems to turn upon the purposes of the picketing boycott.

Of course, libel is another matter and that of course becomes a question of truth and/or damages if any.

In the Senger case, much of alleged wrongdoing is against the corporation and perhaps a motion in this regard would be in order, either to dismiss part of complaint, since they allege damage against a non-party, or at least a motion to clarify the issues.

I assume, of course, depositions will be taken of the plaintiffs. Please feel free to call upon me at all times.

I am sending a copy of your letter to Mr. Haley at CORE and will discuss with him the questions raised by you.

In the ejectment case, it might be useful to raise Shelley v. Cramer on the grounds that the plaintiff is asking the State Court to assist it in the maintenance of a policy of discrimination, all in violation of the 14th Amendment (equal protection).

Cordially yours,

CARL RACHLIN

CR:rk
cc: J. Farmer
R. Haley
G. Carey

COPY

MAR 13 1963

VLADECK AND ELIAS
COUNSELLORS AT LAW
280 BROADWAY
NEW YORK 7, N. Y.

STEPHEN C. VLADECK
SYLVAN H. ELIAS
JUDITH P. VLADECK
CARL RACHLIN
WILBUR DANIELS

SHELDON ENGELHARD

WORTH 2-5105

March 12th, 1963

Mr. Richard Haley
CORE
38 Park Row
New York, N. Y.

Re: Senger v. Elliott and
Vesta Co. v. Delia David and Charles David

Dear Dick:

Enclosed please find two bills from Checki & Politan re their services in the New Jersey suit for damages against CORE.

If there are any questions, I would be pleased to discuss this with you.

Sincerely,

CARL RACHLIN

CR:rk
enc.

MAR 13 1963

VESTA CO. vs. DELIA DAVID and CHARLES DAVID (L 9165-62)

Appearance before Division on Civil Rights - 2 days (Jan. 11, Jan. 15, 1963)	$ 140.00
1. Preparation of Answer and Filing Fee	25.00
2. Preparation of Answering Affidavits to Notice of Motion for Summary Judgment; Preparation of Notice of Motion to Stay the proceeding and Affidavit	30.00
3. Legal Memorandum	60.00
4. Argument on Notice of Motion 2 days (Feb. 21, March 1, 1963)	120.00
Notice of Appeal (Filing Fee)	25.00
Security for Costs (to be placed with the court)	100.00
	$ 500.00

APR 15 1963

CHECKI & POLITAN
COUNSELLORS AT LAW
201 STUYVESANT AVENUE
LYNDHURST, NEW JERSEY
WEBSTER 9-1550

JAMES D. CHECKI, JR.
NICHOLAS H. POLITAN

April 8th, 1963

Vladeck & Elias, Esqs.
280 Broadway
New York 7, New York

- to -

CHECKI & POLITAN

Re: Vesta Co. vs. David
David vs. Vesta Co.

Bill previously rendered	$ 500.00
Payment made	250.00 ✓
	$ 250.00
Examination and review of Hearing Examiner's Report;	
Study of same and preparation of Objections to Hearer's Report and conferences	60.00
Stenographic transcript of Judge's oral opinion	16.25
	$ 326.25

APR 15 1963

VLADECK AND ELIAS
COUNSELLORS AT LAW
280 BROADWAY
NEW YORK 7, N. Y.

STEPHEN C. VLADECK
SYLVAN H. ELIAS
JUDITH P. VLADECK
CARL RACHLIN
WILBUR DANIELS
SHELDON ENGELHARD

WORTH 2-5105

April 15, 1963

Nicholas H. Politan, Esq.
201 Stuyvesant Avenue
Lyndhurst, New Jersey

Dear Nick:

Thank you for your report. I have recommended thatwe proceed as you have suggested. I think we should try to resolve this impasse in the Appellate Division.

I trust you can give me a little more detailed report of the decision of the hearing officer.

Your bills have been forwarded.

Regards,

CARL RACHLIN

CR:cr
cc: Richard Haley

COPY

OCT 1 1963

CHECKI & POLITAN
COUNSELLORS AT LAW
301 STUYVESANT AVENUE
LYNDHURST, NEW JERSEY
WEBSTER 9-1550

JAMES D. CHECKI, JR.
NICHOLAS H. POLITAN

301

RECEIVED

VLADECK & ELIAS

September 26th, 1963

Vladeck and Elias, Esquires
280 Broadway
New York 7, New York

ATTENTION CARL RACHLIN, ESQUIRE

Re: Senger vs. Elliott
Vesta Co. vs. David
David vs. Vesta Co.

Dear Carl:-

Enclosed please find our billings in the CORE matters, up to date. As is evident, they involve a substantial amount of money. We have recently been served with two more motions, with accompanying briefs, which will require extensive research and writing, together with oral argument.

We cannot, under the circumstances, continue to devote the time required to this venture, unless we can receive substantial payment of our billings. They involve disbursements and minimal charges of fees for the work we have performed. In light of this, we feel they should be paid within a reasonable time.

This being so, if arrangements cannot be made to make immediate payment of these invoices, we will have no alternative but to withdraw from all of these matters.

Trusting you will realize our position, I remain

Yours very truly,

NICHOLAS H. POLITAN

NHP/edp
Encs.

cc: Mrs. Sally Elliott
Chairman, Bergen County CORE

CHECKI & POLITAN
COUNSELLORS AT LAW
201 STUYVESANT AVENUE
LYNDHURST, NEW JERSEY
WEBSTER 9-1550

JAMES D. CHECKI, JR.
NICHOLAS H. POLITAN

September 26th, 1963

Vladeck and Elias, Esqs.
280 Broadway
New York 7, New York

- to -

CHECKI & POLITAN

Re: Vesta Co. vs. David
David vs. Vesta Co.

To:	Balance as heretofore set forth	$ 326.25
	Appearance before Appellate Division re Consolidation and Stay	50.00
	Appearance before County Court re Hearing on Discrimination Appeal	50.00
		$ 426.25

October 7, 1963

Mrs. Sally Elliot
221 Phelps Avenue
Cresskill, New Jersey

Dear Sally:

A check for $500 has been dispatched to the lawyers, Checki & Politan. This would seem to reduce the outstanding indebtedness to that firm to $380.

The National Office is aware of the efforts of Bergen County CORE to cover the expenses of these cases; you are certainly to be commended for this effort. We will try as far as possible to split the expense 50-50 with Bergen County CORE. At the same time, you must remember that we are asked for help by other CORE groups, particularily in the South that have little or no money. In case we had to make a choice, the weaker group would naturally take precedence.

Sincerely,

Richard Haley,
Associate Director

RH: AS

/

MEMORANDUM

TO: Dr. George Wiley January 28, 1965

FROM: Carl Rachlin

RE: Legal Department (Report for NAC meeting February 6, 1965)

I. Program

A. During the last few months we have been involved in:

(a) U.S. Supreme Court - Cox v. Louisiana, argued early in October. The case was decided in our favor on all counts on January 18, 1965.

(b) Brown v. Louisiana - new case being prepared for the U. S. Supreme Court.

(c) Work on the CORE Legal Conference. This is being paid for by SEDF, but all time and preparation are being done in our department.

(d) Brewery matters and related employment problems, involving much correspondence and time spent in negotiations.

(e) Preparation of a long memorandum entitled "A Hard Look at the Civil Rights Law" discussing what the law does not do. This will go out shortly.

(f) Trailways matter - legal advice and supervision as well as negotiations in Washington with Federal agencies, coordination with CORE Northeast Regional Office, Philadelphia CORE chapter, attorneys.

(g) Cooperation with LCDC (Lawyers Constitutional Defense Committee), helping to keep it going for summer use particularly and in connection with this.

(h) Preparing Dennis v. Johnson, an important Mississippi case challenging the constitutionality of many Mississippi laws.

(i) Negotiations with President's Committee for Civil Rights under Law

(j) Completing memorandum on Rent Strikes sent to all chapters.

(k) Developing further our now substantial network of lawyers all over the United States. This means

(l) giving assistance to Tucson attorney in Civil Rights Law case

(m) Supervising Milwaukee case

(n) Same in Tulsa - sending volunteer, close CORE associate Marvin Karpatkin to Tulsa to work there on important court case.

(o) Similar in Omaha, Camden, Chicago

(p) Supervising the case in Trenton involving most of our NE Regional office as well as assisting them there in their ongoing activities with regard to Urban Renewal.

(q) We are still optimistic (less so) for an adjudication on segregated school bonds. We are still pushing this with the attorneys-general of the States of Massachusetts, New Jersey and New York.

(r) Work on a library desegregation case in Louisiana and a school case in Miss.

(s) There are several cases at the appeal stage here in New York:

(t) 3 important sit-in cases in the N.Y. Court of Appeals

(u) Very important so-called "loitering" case of Chris Sprowel to be appealed.

B. (a) As General Counsel of CORE, I deal with various internal legal matters, corporate and tax problems. These we handle, although shorthanded, as they develop. There is heavy involvement on the telephone. In large part these are local matters, some crackpot, some irrelevant, but all meaning much too much time. Because the National office is in New York, and because the Legal Department is supposed to be a repository of vast and diverse information, all sorts of inquiries are sent our way, many unnecessary, but all time-consuming. We also have fairly heavy correspondence to deal with all over the U.S. on Civil Rights matters, etc. Needless to say, our work involves coordination with the activities of Chapters and Regional Offices, and, often, participation in CORE workshops.

We were instrumental in the creation of CORE Metropolitan Legal Defense Fund, which we are in the process of setting up as a tax-exempt corporation. This group should start to be active in both fund-raising and in processing certain types of incoming calls and correspondence (e.g. police brutality) in the New York metropolitan area, thus relieving the National office of dealing with NY cases, at least at the preliminary stage.

(b) Other activities include university relations:

(i) participation in civil rights activities of universities such as helping conduct graduate seminar on civil rights for Columbia University Law School next semester.

(ii) Sit on Board as CORE Counsel of New York University Law School Hays Civil Liberties Center.

(iii) Stimulate law schools on the other hand to engage in long-range civil rights activities on our behalf such as University of Michigan and Boston College Law Schools whom we have asked to prepare a report on a new approach to landlord-tenant relations.

(iv) Maintaining close relations with and sit on Board of the Law Student Civil Rights Research Council for assistance in research problems and entree to students in many law schools in the U.S. such as Columbia, Pennsylvania, Howard, Harvard, Chicago, California, etc.

(c) Furthermore, I supervise 3 students (SEDF scholarship students) as part of their continuing legal education. They help us and it is my view that we play an important role in their legal education and their future in the civil rights field.

(d) In recent months I made trips to New Orleans (Pierson v. Ray), Washington (to argue Cox), Cleveland and Chicago (chapter problems). Of course trips to Washington were also made on other CORE business.

(e) I must attend conferences and meetings of such organizations as American Jewish Congress (member of board of their Committee of Law and Social Action), American Civil Liberties Union, LCDC (as member of the board), Workers Defense League (member of the board), Law Students Civil Rights Research Council (Advisor). After twenty-five years as an attorney I have finally become a member of the American Bar Association and hope to serve on a new committee that is being set up in the realm of constitutional law. I hope to reach many more attorneys in this way and interest them in working for CORE.

(f) Occasionally cooperation with attorneys in preparing civil rights cases other than CORE cases.

(g) Maintain a constant correspondence with numerous government agencies such as

(i) Defense Department - We have several matters pending before them and successfully handled others.

(ii) F.B.I. - while this is difficult and delicate, it is also often very useful - such as at Jonesboro where it was their help that was important.

(iii) Justice Department - ditto
(iv) Post Office
(v) Civil Rights Commission

C. Program for the next few months.

Under this heading I will outline the relationship of the legal work to program and our plans for activities in the next few months. Needless to say, activities outlined under A. and B. will continue to be part of our every-day work. The anticipated expenses related to these activities will be listed under the section entitled "Future expenses.")

It is in the areas relating to program that we have our greatest frustrations. Most of these come about because we do not have lawyers in the field at important centers to take the legal steps necessary to promote civil rights in an affirmative manner; (for that matter, as in Northern Florida, we do not always have a lawyer to defend people arrested.) Northern Florida and Southern Georgia is a particular area where we could use this assistance -- SEDF has appropriated this money and I have been interviewing people for this vacancy.

Louisiana is fairly well covered. Mississippi for some time has needed a lawyer with our philosophy. Obviously, it is important that CORE take as much charge legally as is possible. Some of our internal problems might disappear. In the event of any major program undertakings in Miss., one man will not be anywhere near sufficient. And we are currently faced with the question of Henry Aronson's resignation from CORE. However, our close ties with LCDC are proving a great advantage. They have just hired a full time lawyer for Mississippi, Alvin Bronstein, who will work in close cooperation with us. This will not cost CORE anything. Other major activities will require the assistance of LCDC which, of course, is its main function. For example, we are beginning soon an interesting reapportionment case in Mississippi which will be undertaken by LCDC.

With a regularized group of lawyers in key areas I could plan important legal activities instead of merely acting in an ad hoc fashion, and this will be of greater use to the men in the field, task force people, etc. There are lots of things that I have in mind for such purposes, one of which a big action, in advance, to step off the Plaquemines Parish program, if it developes as discussed.

Presumably, if we can get our bills paid in Louisiana, there are lots of legal problems to be developed, including a very interesting case of admission to Louisiana Tech which is rapidly progressing, and other school, employment and public facility matters, as well as certain injunctive type cases to protect our workers in the field. In Northern Florida we can try with one man, together with additional help from other sources. I have a statewide school case in mind for Louisiana, Florida and South Carolina. So far as Mississippi is concerned, it is a little more difficult, mainly because of the gross number of things to be tried. In South Carolina we have the difficulty of having no lawyer of whom we can be certain. A year ago we prepared a complaint in New York in a school board case which never got off the ground because NAACP put pressure on the plaintiffs to withdraw. The role of our lawyer in this has never been clear.

We must not neglect South Carolina where I would like to have a man as soon as our program gets going, or establish such local assistance as will cover us.

Problems do develop in areas where there are no lawyers, and if travel money were a little more available, I have competent men here to send to places such as Tulsa, etc. who have gone previously.

Hopefully we are getting New York problems under control. We need to do this in San Francisco, where there are lawyers but, because of the money, I have not been able to go there and try to see if it can be put in order, and what money would be needed to keep it on an even keel. I tried with a volunteer, Wester Sweet, of San Jose, but this did not work out. Also, this is essential in New Jersey, where there are lots of volunteers, but not enough coordination because the man who has been handling it is a volunteer. New Jersey illustrates the difficulty of relying too much on volunteers for trial work. In a recent Trenton matter two lawyers absolutely promised to be available and then were not. All one can do is bite one's nails since the men were volunteers.

II. Staff

(a) In the office itself there are only myself and a secretary. We have the part-time help of three law students on scholarships from SEDF. We have developed a mailing list of over 900 persons, of whom approximately 700 are attorneys all over the country able in one way or another to work for CORE. Almost all of these are volunteers.

(b) Our leading volunteers are:

(1) Marvin Karpatkin, in New York, who helps me with national affairs, such as the Cox defamation case, Tulsa injunction case, etc.

(2) George Schiffer, for New York affairs, who works very hard (e.g. all the World's Fair cases). SEDF gives him a substantial sum for the use of his office, telephone, equipment, etc. and also for the assistance of Jules Zalon, a young lawyer.

(c) Our leading attorneys on retainer are:

(1) Messrs Collins, Douglas, and Elie, who receive $400 per month plus expenses. This may go higher at the rate of $10.00 per hour when their work gets out of hand. As it is, they have not received their retainers or been reimbursed for expenses for the last 6 months of 1964.

(2) Floyd McKissick in North Carolina who receives $250 per month.

(3) We have other lawyers in Louisiana with a fixed rate ($10 per hour) but only for time actually spent. This is very reasonable and will help us in Louisiana for the future.

III Budget

Since the beginning of September the outstanding bills of the Legal Department have consistently stood at around $20,000. This does not include office or travel expenses for myself, which National CORE assumes. While we have managed to pay off a few bills, new ones have come in to bring it back to that amount. We have tried to keep our expenses at the absolute minimum, but even so, we have had to incur certain new expenses. Our department has been a serious victim of CORE's financial plight in recent months. Numerous volunteer attorneys have paid large sums out of their own pocket with the understanding that National CORE would reimburse them, and after six months (some longer) many are still waiting. Court stenographers who have prepared records for important cases have not been paid, and the effect of this is that many people who previously worked for us with enthusiasm are at the point where they are less than enthusiastic. We have done our best to plead their indulgence for the sake of the movement but we are in danger of losing their good will. Court stenographers have gotten to the point where they demand payment in advance. In the case of bail bondsmen...especially in the South...this presents a serious problem. This state of affairs is seriously hampering effectiveness on the legal front.

Fortunately, SEDF has come to our rescue. I met with Ann Singer of SEDF recently and went over each bill with her. Most of these bills are in an area whereby they could be picked up by SEDF. The only question is their finances. Not more than $5,000 or so would remain for National CORE to pay if they picked up all that they can pick up.

Future expenses

(a) Retainers for Collins, Douglas & Elie and for Floyd McKissick, as of January 1, 1965, are being paid by SEDF.

(b) SEDF has established the following annual budget for CORE Legal activities:

$20,000 - Louisiana
14,400 - Mississippi
14,400 - Northern Florida
3,600 - North Carolina
3,000 - Legal Conference
12,000 - Northern projects
$67,400 Total

This includes the above mentioned retainers, and covers the expenses of George Schiffer in New York and one attorney's salary in his office.

(c) Office expenses at CORE National Office:

(1) Telephone - about $125. a month

(2) No additional employees at this time, but special clerical assistance is needed from time to time, at an estimated $300 - $500 through May. This could be reduced by the use of competent volunteers if available. Additional help on work involving the Conference will come out of the SEDF grant for this purpose.

(d) Travel expenses:

(1) I hope to hire a lawyer for Northern Florida shortly and should spend a little time there helping him get started and planning.

some major efforts. Two trips.

(2) Two to three trips to Mississippi.

(3) Two to Louisiana.

To some extent some of these can be combined. But our plans for active legal programs in these areas necessitate this.

(4) I should go to South Carolina and lay the groundwork for setting up a group of lawyers to work with us in our forthcoming campaign. Two trips.

(5) One trip to Oklahoma and Texas

(6) One trip to West Coast. This latter is important particularly in light of the Chet Duncan situation and to show our interest in their problems, etc.

(7) One or two trips to Chicago.

These last three could also be combined if carefully planned.

(8) Three to four trips to Washington, D.C.

(9) One trip to Boston early in February to make a speech at Boston College Law School.

(10) One trip to Syracuse (housing rehabilitation matter)

Total travel expenses are estimated at approximately $1,500.00. Perhaps this figure can be reduced if it can be planned carefully.

(e) Other expenses:

(1) Based on previous experience, and assuming active national programs, we will need for bail bonds........$3-4,000.

(2) Appellate work is hard to estimate, e.g. we have just received a request from Charles Oldham on the Jefferson Bank case, handled in large part from St. Louis, but with some assistance from us. This appeal would cost at least $5,000.00.

Any case that goes to the U.S. Supreme Court will cost us several thousand dollars. We can expect a couple of these per year. Currently we are awaiting word on our petition for a writ of certiorari in Callender v. Florida and Brown v. Louisiana. In large part these should be met by SEDF.

(3) We will have some printing bills, but they should not come to more than $1,000 unless, of course, cases not previously born rear up.

(4) We hope to have two lawyers plus clerical assistance for the South soon, but SEDF will pay this.

(5) Legal Department news letter - important service - no budget as yet.

(6) Special memoranda from time to time(including soon-to-go-out memorandum entitled "A Hard Look at the Civil Rights Act.") - $500-1,000.

(7) Legal texts and journals*- $200-250. We still hope to get U.S. Supreme Court Reports as a gift.

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*This does not include important matters such as United States Supreme Court Reports, etc., and arrangements should be made for General Counsel to join the City Bar Association for its library and to be on its active Civil Rights Committee.

Thus, in addition to the budget for the full year of $67,400 from SEDF and assuming they will pick up about three-fourths of our outstanding bills, in summary:

Balance of outstanding bills	about $5,000.00
Telephone expenses - 5 months (Jan-May)	625.00
Clerical (emergency)	300 - 500.00
Travel expenses	1,500.00
Bailbonds (rough estimate depends on activity)	3,000- 4,000.00
Appellate work	5,000.00
Printing bills	1,000.00
Newsletter	???
Memoranda (including postage)	500 - 1,000.00
Reference books	200 - 250.00
	$18,875.00

Obviously, without assistance from SEDF, the use of volunteer attorneys, and close cooperation with LCDC, Law Students CR Research Council, etc., etc. this figure would more likely be in the neighborhood of $100,000.

- 7 -

Thus, in addition to the budget for the full year of $67,400 from SEDF and assuming they will pick up about three-fourths of our outstanding bills, in summary:

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Reference books 200 - 250.00
$18,875.00

Obviously, without assistance from SEDF, the use of volunteer attorneys, and close cooperation with LCDC, Law Students CR Research Council, etc., etc. this figure would more likely be in the neighborhood of $100,000.

THE FOLLOWING PAGES ARE THE BEST
AVAILABLE.

March 10, 1965

MEMORANDUM

TO: CORE Scholarship, Education and Defense Fund, Inc.

FROM: Carl Rachlin
General Counsel, CORE

RE: Legal Conference

Now that the Legal Conference is over, we ought to evaluate what we did as objectively as we can.

Five seminars were held on the following subjects:

New Approaches to Landlord-Tenant Relationships

The Unconstitutional Use of Bail

Civil Rights and the Anti-Poverty Program

The NLRB and Racial Discrimination

Affirmative Uses of the Injunction

All but one of the major papers were ready for distribution at the conference.

In addition, we distributed "The 1964 Civil Rights Act - A Hard Look" prepared by the CORE Legal Department.

Not all of the written responses we had hoped to have were ready for mimeographing. Despite much nagging, papers were slow in getting to us and consequently slow in being distributed to the panelists so that, in all fairness, there was insufficient time for panelists to respond in writing as I had originally hoped. Still, in all cases, (with one exception,) every panelist had had the opportunity to read the paper before proceeding. To me, this was terribly important. I have seen too many legal and other professional conferences turn into organized gossip sessions because of the lack of proper preparation in advance. Without doubt, the major contributions to the education of those present resulted from the preparation by competent people of the major papers on important subjects. While this involves a substantial drain on one's nerves, extensive use of clericbl help, much of it volunteer, anything less than this would have been a waste of SHF money.

ATTENDANCE

The attendance varied considerably (about 120 at its best) from moderately weak on Friday afternoon to somewhat better on Friday evening to rather good on Saturday morning and afternoon and fairly weak on Sunday. The weakness shown Friday afternoon and Sunday had nothing to do with the quality of the subjects, which were as good as the others, but rather to the time of these events, particularly Friday afternoon. Other expressions as to the timing of these events would be useful and we shall get them.

We dealt with a mailing list of about 300 lawyers who have been active in varying degrees, participitating in civil rights as lawyers; in addition, other lawyers (about 450) who have shown interest were also invited. Notice of the conference was also given to the law schools within a fairly wide radius of New York. 30-35 law students attended.

In addition to the weakness shown Friday afternoon and Sunday, I think we could have had more attendance if the chapters had made an effort to have local attorneys present. For example, Detroit made such arrangements on behalf of Philip Colista, their local counsel; Boston's counsel was also present; but despite numerous communications with the chapters, at least 3 or 4 requests for the names of local counsel were sent to chapters, we did not get such information. As a result a number of people who might have come (and who should have come) are not even on our mailing list. In addition, all chapters received information concerning the conference. This aspect of the matter, both in terms of future attendance at conferences, and for the availability of volunteer attorneys requires further work. But without doubt, attendance at such a conference not only adds to the legaleducation of those who attend, enhances the prestige of CORE, but builds a loyalty and camaraderie amongst those who were there.

In addition to the physical presence as described above, over one hundred lawyers not present requested copies of the papers presented.

THE SESSIONS

As was to be expected, the sessions varied considerably in audience response. The one I had hoped would be most useful "The Affirmative Uses of the Injunction" in part because the prepared paper was not ready at the time (the only such instance) became somewhat diffuse. This session was conducted with Plaquemines Parish [Leander Perez] in mind. Unanimously, the most valuable session related to "Poverty and Civil Rights." Not only was there a good prepared paper, but Andy Norman delivered additionalimportant material orally. Excellent responses came from Faith Seidenberg of Syracuse, Ed Sparer, head of Legal Services at Mobilization for Youth, Floyd McKissick, our National Chairman who discussed special problems in North Carolina, and Paul DuBrul who set forth the poverty program from the point of view of the inside, in this case the City of New York. So well received was this session and so many requests having been made for a pamphlet on the ideas coming out of the session, that I have requested Faith Seidenberg to prepare a draft of such a pamphlet which might be used to advise lawyers, people and civil rights activists of the possibilities under the OEO, as well as the problems, the difficulties and possible solutions.

Tapes were made of all the sessions. This may be important since we have received a feeler from a legal publication entitled LAW IN TRANSITION to use the material for the entire June issue of that magazine. Several of the other sessions have useful material in them. Both the session on the "NLRB and Racial Discrimination" and "The Unconstitutional Uses of Bail" elicited considerable discussion. George Schiffer delivered a good paper on "Landlord-Tenant Relationships."

DINNER

Last year the dinner was a high point of the conference in good part because of the extraordinary speech by Father Drinan. In all candor, Chief Adebo's talk was of a different kind, and while interesting, didn't have the same dynamic quality. The talk was overly simplified. The subject matter, while it had interesting possibilities on the parallels between African Independence and Freedom Now, was never fully developed.

BUDGET

We have been able to keep within the budget, including the sending of additional papers to the people who requested them and the mimeographing of materials which, for all kinds of technical reasons (viz. the breakdown of the mimeo machine), were not distributed at the conference.

CONCLUSION

SCEF money was well spent despite the near breakdown effort to put all this work together. The work was essential in order to make the conference meaningful, but perhaps for the future, we might get a little more help.

Stensil

MARSHALL, BRATTER, GREENE, ALLISON & TUCKER

MEMORANDUM

Date: April 23, 1965

To: CORE Scholarship, Education
and Defense Fund, Inc.

From: Michael S. Barron

This memorandum is in response to your request for guidelines to be followed by lawyers representing SEDF so that they will know what activities are permissible within your corporate charter and within the rules which must be observed if SEDF is to retain its tax-exempt status.

The income tax regulations permit SEDF to "defend human and civil rights secured by law". Although the charter limits this to costs "wherein questions and issues pertaining to civil rights and civil liberties arise," it is difficult to envision any situation wherein it would be improper for an SEDF lawyer to assist or represent a person accused of crime, since the right to a fair trial and the right to counsel are human and civil rights secured by law. In addition, SEDF is permitted to assist in the defense of any person accused of crime if the defense will involve raising substantial issues of civil rights or civil liberties.

In addition to representation at trial, SEDF lawyers may, in cases described above, represent or aid persons in any and all ways in which it is customary for a lawyer to aid a criminally accused. This would include representation beginning at the time of arrest and would also include help in securing bail.

The question of whether SEDF assets may be used as bail is a far more difficult question. It is my feeling that this should not be done except in rare and unusual cases where it can be forcefully argued that the amount of bail set, or other circumstances involving the bail, have, in light of the actual circumstances of the accused, effectively deprived him of his civil rights or civil liberties.

In the area of civil litigation the sphere of permissible activity is also quite broad where the litigation seeks specific relief, as opposed to money damages. Thus, it is permissible for SEDF to sponsor and sibsidize litigation aimed at enforcing civil rights now provided by law.

When a private litigant seeks money damages for the infringement of his civil rights or civil liberties, it is questionable whether SEDF may use its own funds in a law suit aimed at securing a private monetary benefit for an individual. It is my feeling that this should not be done, unless the plaintiff assigns to SEDF all rights to the money recovered, except $1. I have excepted the nominal amount of $1 so that the plaintiff would remain a party at interest in the controversy, and retain his standing to sue.

Aside from the legal fees involved in the types of proceedings described above, the foregoing statements would cover all other expenses incident to the litigation including filing fees, stenographic fees, necessary travel and meal expenses for attorneys.

Under many circumstances, it is customary to compensate a witness for loss of wages while he is away from his job to testify. Such payments should be avoided by SEDF if possible, but such payments are likely to be so small as not to jeopardize SEDF's exempt status.

April 30, 1965

Carl Rachlin, Esq.
Congress of Racial Equality
38 Park Row
New York, N.Y. 10038

Dear Carl:

There are certain problems related to our New York program which I'd like to bring to your attention in writing. We can probably discuss them in more detail at our May 4th meeting.

What is covered by our agreement with George Schiffer? It is my understanding that we pay him $450.00 a month. Does this include rent, phone, photostats and transcripts?

Who calls the shots? I'm somewhat concerned with the hiring of Nagler. You do indicate that you were informed but I have the feeling that you were not consulted or decisively involved. I know that we were not, and I have some questions as to whether an attorney should have been hired at all from New York, if an attorney was necessary, whether the attorney should have been white or Negro, and whether Nagler was the right man for the job. I don't know him at all and am not implying personal criticism.

In general, I would like to know what our attorneys are doing.

I think I have a pretty good idea of your general philosophy and approach but it might be well to develop something in writing as a description of the SEDF legal program. Also, would it be possible to get a monthly report on a staggered basis from Collins, Douglas & Elie and from McKissick? At present we pay them retainers but have no knowledge of specific suits or actions in which they are involved.

What think ye of these points?

Cordially,

Marvin Rich
Executive Director

lu

JEROME L. GREENE
JOHN P. ALLISON
OSCAR L. TUCKER
MARVIN J. BLOCH
ROYAL E. BLAKEMAN
ALAN L. ROSENBLUM
MORTON S. ROBSON
MARK N. KAPLAN
RAPHAEL G. SCOBEY
ARTHUR L. KIMMELFIELD
SAMUEL C. COHN
ANDREW N. HEINE
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LAW OFFICES
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JAMES MARSHALL
COUNSEL

EDWARD M. BRATTER (1934-1957)
WILLIAM J. BRATTER (1950-1960)

CABLE RETTARB, NEW YORK

WASHINGTON OFFICE:
815-15TH STREET, N.W.
MORTON E. YOHALEM
RESIDENT PARTNER

May 4, 1965

Mr. Marvin Rich
Executive Director
CORE Scholarship, Education and Defense Fund, Inc.
150 Nassau Street
Room 1312
New York, New York 10038

Dear Marvin:

Enclosed are three copies of a memorandum dated April 23, 1965, which I have prepared for the guidance of attorneys representing SEDF.

If you have any questions, or if there are other matters you would like covered, please let me know.

Best regards.

Very truly yours,

Mike

Michael S. Barron

Encl

MSB:ln

legal program Adm

May 10, 1965

MEMORANDUM - CONFIDENTIAL

TO: James Farmer
George Wiley
Marvin Rich

FROM: Carl Rachlin

SUBJECT: Southern Trip, May 6-9, 1965

Not all of this memo is confidential but some parts are.

1. The prearranged meeting amongst Collins, Douglas & Elie, LCDC people such as Schwartzchild and Al Bronstein, and the Southern Office took place as scheduled. We met the entire day, Thursday, May 6, and made some important decisions. Haley was there for the Southern Office. Unfortunately neither Dennis, Ronnie Moore nor Oretha Castle who had complained about Louisiana lawyers was present despite an agreement that at least one of them, most likely Dave, would be there. This was regretable because it was, of course, essential that we try to straighten out the differences. There are, no doubt, differences between Dave and Elie. Haley is in the middle and apparently receives complaints from both about the other. The situation has eased somewhat by our victory in the St. Tammany Parish case since this is the kind of action that Dave likes very much, as he should.

2. In any event, some of the problems should ease because of the decisions that were made at the all-day meeting. Without going into the reasons and after a detailed consideration of the merits of Monroe, Shreveport and Alexandria, it was decided to open an LCDC office in Shreveport which would be staffed by a full-time LCDC lawyer beginning between the first and the fifteenth of June together with volunteer lawyers all summer as are needed plus one or more law students as they are needed and clerical assistance. The main reason for Shreveport is that the main office of the Western District Federal Court of the Louisiana Federal Court is there. A subsidiary LCDC office would be in Monroe staffed by one or more volunteer lawyers and one or more law students. This was very pleasing to Richard Haley, and I assume will be equally pleasing to others on Louisiana projects.

3. We discussed certain things to be instituted right away and it was agreed that bond cases would be started promptly in Caddo Parish and also in Jonesboro both of which have bond issues coming up very soon. It was also agreed that there would be one or more LCDC lawyers in New Orleans for the summer months to work with Collins, Douglas & Elie and Murphy Bell as the occasion requires.

4. There was considerable discussion of the differences between Dennis and the Louisiana lawyers but without Dennis being present it is hard to evaluate the effect of this. Haley was speaking more for Dennis than he was for himself as he made quite clear.

5. There was a certain amount of discussion of the Lawyers Guild since Haley was familiar with the fact that Dennis calls them from time to time. There is absolutely no reason why at this point Guild lawyers should be used. LCDC plans an active summer program. It has four lawyers in a rather well-organized office in Jackson and will have a full complement of volunteers. I will discuss some of this a little later in the memo. I only mention it now because for a variety of reasons the Guild has been inactive recently whereas LCDC in Jackson at least has built up an impressive docket and is handling everyone's cases, not only CORE's but SNCC's and COFO's generally. The Guild is trying to get back in and I don't doubt that they have been making all kinds of irresponsible promises as to what they can do. Even in New Orleans where they have been quite strong, with the election of Steve Rubin to the chairmanship of the Louisiana Civil Liberties Union, their influence has declined. The Louisiana Civil Liberties Union and CORE are now functioning intimately together in large part because Steve Rubin and Elie are personal friends. Rubin was present at this meeting and while it is true he tends to agree with Elie's position on the starting of certain types of litigation, he makes a point that he went to Bogalusa on several occasions and spoke to the CORE people there about the kind of information needed to bring affirmative suits. This information has never been forthcoming, the conclusion being that it is unfair to blame lawyers for this since it was his position that the staff was not doing the minimal amount required of them. This was said in front of Richard Haley.

6. The outcome of the conference was, however, on the whole rather good because of the firm decisions made as to Shreveport and Monroe offices for the protection of northern Louisiana and affirmation bond cases to be undertaken within the next few days involving Shreveport and Jonesboro.

7. In order to follow-up the dicisions made, Schwartzchild and I decided to leave early the next morning, 6:45 a.m. plane, for Shreveport. By prearrangement we met Jesse Stone in Shreveport and spent about four hours with him until we took the plane for Monroe. With regard to Stone, I tend to agree with Dennis. He is a competent man but he is not interested in undertaking anything that might rock the boat. He made this very clear. He also made very clear his interest in money and showed us his new $40,000 home where we had a large part of our conference in his den. It became very clear that while he may not actually be playing double with us neither was he playing altogether fair with us. Before the St. Tammany Parish complaint had been served, I sent him a proposed complaint for Caddo Parish (Shreveport) together with a memorandum of law in support of the complaint. We found out that not only had he not done anything about our complaint but had actually joined in and filed a normal-type school desegregation case for Caddo Parish on behalf of the Legal Defense Fund and associated with A. P. Tureau. Jesse acknowledges that he did not give any consideration to this case nor did anybody else apparently until some time after he had heard from me on the bond case. The question arises whether there was actual duplicity, or to put a more favorable light on it, did he merely neglect to tell me that Legal Defense was to start a Caddo Parish case. The coincidence, however, is certainly

remarkable. Our people in Monroe are inclined to accept the duplicity theory and claim that several statements that Jesse made to them and publicly as well support this view.

Whichever view is accurate, Schwartzchild and I decided that we would not put much reliance upon Jesse Stone and would have to work as independently as possible with people we have confidence in including, of course, Colllins, Douglas & Elie, and Murphy Bell. Stone helped us find an office for LCDC in a convenient point in the Negro section in town in a little but fairly new building, owned and partly occupied by the other Negro attorney in Shreveport, a Mr. Jerome Howell who apparently may be even more conservative than Stone.

8. We then flew on to Monroe and went directly to the CORE OFFICE on North Kent Street. By a coincidence a large number of the people from northern Louisiana were present in the office. I was very favorably impressed with the group, some newcomers within the last few weeks, but I had the distinct feeling their morale was poor. Seeing them all sit around on a Friday afternoon on a good day seemed a bit strange. Chris Sprowal was particularly upset because he had not yet been placed on payroll and hadn't received any money at all. We rented an office for LCDC in the same building that CORE is in in Monroe and this was a matter of great interest and excitement to the people and brought about a noticeable change in their attitude. While a lot of the task force people were present,neither Oretha, Dave nor Ronnie were there. I would certainly inquire as to the nature of the direction they are getting in this area and what specific projects they are working on and how the groups are divided. Chris Sprowal made the point that three people could not make a serious dent in a city like Shreveport with 175,000 population. He said that they need at least two more task force people. I would say this is a conservative estimate.

9. One of the things that seemed clear is the lack of any real community support in this area for work being undertaken. Monroe is an extraordinary place and a lot could be accomplished there by vigorous program activity and strong leadership. In any event, the legal office will be open here about mid-June. One of its artifacts will be a burned-out cross which is presently in the office to be rented by LCDC.

10. Schwartzchild and I drove on to Jackson and the air seemed clean and fresh in comparison. We had a long talk that evening with Bronstein and all his team consisting of Allen Levine, an able young attorney who was south last summer, Bruce Rogow, a Gainesville, Florida man and a friend of John Due, and William Kopit, a young recent law graduate. I went over their docket very carefully and there is no doubt they have taken over and seem to be handling very well all of the work currently being done in Mississippi. The Legal Defense Fund with Marian Wright and Henry Aronson seemed to be confining itself to the old-fashioned Legal Defense-type cases. A point that was made very strongly involved the fact that if all the COFO, SNCC and CORE people left Mississippi enough had been done to get indigenous local groups into action so that programs would continue. Bronstein, who is a very shrewd observer made this point very clearly. In fact, he went so far as to say that within five years at the present rate Mississippi Negroes would probably be ahead of those in the other parts of the deep South. Another point he made

strongly was that there are two MFD parties: the propaganda party in Washington, and the local organization in Mississippi. These groups have relatively little to do with each other. A third point made by him of some interest was that organization was gaining more rapidly in the smaller communities of Mississippi than in the vicinity of Jackson.

11. This last point was made in connection with criticism of CORE's functioning in Louisiana where it was felt that somehow we had not sufficiently involved the local communities considering the time spent in Louisiana. Obviously I am in no position to evaluate this criticism but I pass it on because the source is an intelligent one.

12. Our relations with LCDC are still, of course, very good, even though we do not have the same power as we did previously. It is clear, however, that they are trying very hard not to be dependent completely upon CORE for legal activities and are developing relations where possible with SNCC, apparently successfully, and through Andy Young with SCLC, more doubtfully. At the present time despite Haley's and my strong urging LCDC says it cannot afford to open an office in or near South Carolina and we will have to make other arrangements. I have several possibilities in mind which I will discuss at a later date.

CR 8

a national organization with affiliated local groups working
CONGRESS OF
CORE
RACIAL EQUALITY
to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
COrtlandt 7-6270

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national director
Richard Haley
associate
Gordon Carey
assistant
Carl Rachlin, Esq.
general counsel

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Martin Luther King
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Will Maslow
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secretary
Alan Gartner
treasurer
James Peck
CORElator editor

STAFF
Norman Hill
program director
James McCain
director of organization
Marvin Rich
community relations director

May 13,1965

Mrs. John Swing
Salisbury
Connecticut

Dear Mrs. Swing:

As I promised you I spoke to Al Bronstein. He things that a lawyer working from three to six months or more could perform a very valuable service on behalf of people living in the Canton, Mississippi, area. Working on land titles would undoubtedly be extremely helpful. I will try to locate such a person.

Please keep in touch with me. With kindest regards,

Sincerely yours,

CARL RACHLIN

CR:rg

Copy to:
Mr. Marvin Rich
Executive Director
Core Scholarship, Education and
Defense Fund, Inc.
150 Nassau Street
New York City

RECEIVED

JUL 16 1965

CORE SEDF

July 14, 1965

David Norman, Esq.
Asst. Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Norman:

I enclose a copy of a letter written to the Governor of Florida by Mr. Spiver Gordon, CORE field staff representative in northern Florida. This is just another instance of the type of conduct carried on in the northern Florida area which few people realize is resisting seriously any effort at change. On a number of occasions in the last several months we have sent you a variety of statements of problems presented to us about northern Florida. I would be most appreciative if you could give me a report on what has happened with them.

Thank you for your cooperation.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

cc: Messrs. Due, Gordon, Rich

Legal File

August 4, 1965

Mr. Richard Haley
Southern Regional Director, CORE
2209 Dryades Street
New Orleans, Louisiana

Dear Richard:

I am very pleased that we were able to spend some moments discussing program and our mutual problems. I regret not having had the chance to talk with Dave also. This was largely my fault since I enjoy being in the field so much that I utilized every moment I could to spend in non-administrative matters, and went to several places away from New Orleans.

1. As you know, I am very much concerned about the Monroe school bond case ($6,000,000.00). Please do all you can to locate plaintiffs, we know our technique has validity. I wish to expand it into other areas beyond schools where bonds are to be issued, e. g., public improvements, etc.

2. I trust the kind of street survey we discussed can be undertaken promptly in Jonesboro. I am anxious to try a new type of case there to force the town to fix sewers in Negro sections. My theory is that this kind of wrong-doing not only is a denial of equal protection of the law, but also constitutes a taking of Negro tax money without due process of the law.

3. Is there anything new on a decision in Plaquemine Parish?

4. We are sending in a day or two a statewide school desegregation complaint for the entire state of Mississippi.

I enjoyed being with you all; I regretted having to come back, but hope to return soon.

Cordially,

CR/cs

CARL RACHLIN
General Counsel

cc: Collins, Douglas & Elie, Esqs.
Dr. George Wiley
Marvin Rich
David Dennis

P. S. By the way did you get a chance to talk with Dr. Hayling?

No referent

August 4, 1965

Hon. Nicholas Katzenbach
Attorney General of the United States
Department of Justice
Washington, D. C.

Dear Mr. Katzenbach:

I enclose a copy of a letter from the CORE, Scholarship, Education & Defense Fund attorney, John Due, in Tallahassee. If the information he has received is accurate, this is a deplorable situation whereby an agency of the United States has either participated in a deceit, or has not taken any steps to police its obligations. May I urgently recommend that steps be taken to correct this situation.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs
Enc.

cc: John Due, Esq.
Marvin Rich
Spiver Gordon
Farm Security Administration

August 5, 1965

Clarence C. Malone, Jr., Esq.
336½ East Pettigrew Street
Durham, North Carolina

Dear Mr. Malone:

You cannot imagine how regretful I am that CORE has not been able to pay you for all the time you have spent on behalf of our members and friends in North Carolina, particularly with regard to the Chapel Hill demonstrations. As a lawyer, no one appreciates more than I the value of your time and the quality of your services. I am sure however, that Mr. McKissick has told you of the astronomical state of our obligations. I would hope that you continue this matter in abeyance so that we in the National Office and Mr. McKissick can work this out in a satisfactory manner to all concerned.

Expressing my great appreciation to you, I remain,

Sincerely yours,

CARL RACHLIN
General Counsel

CR/cs

cc: Messrs. McKissick, Rich, Wiley

August 12, 1965

MEMORANDUM

TO: Marvin Rich

FROM: Carl Rachlin

I regret your illness prevented you from accompanying me to observe the SEDF operations in Louisiana and northern Florida. I would like at this point to refer to some matters which I believe are of importance to SEDF.

As you know, in all these areas SEDF and CORE lawyers are working very closely with LCDC staff and volunteers. As a result of this cooperation, the quantity of high-grade litigation instituted by lawyers working in ourbehalf has never been so great. It was the joint effort of SEDF, CORE and LCDC lawyers that miraculously obtained the injunction against the police in the Bogalusa litigation. Similarly the joint co-operation of these lawyers during the highest point of difficulty in Bogalusa, produced at my insistance, the time to begin an old-fashioned school desegregation case there. We thought it was essential that the community know of our total dedication and support and the public officials had to learn that there was no end to our energy or our ingenuity. This was why I insisted that it be done at the absolute zenith of the Bogalusa tensions.

As a result of my trip, I spent several days in Bogalusa meeting with the leaders of the Voters League, the police, etc., in order to make certain we understood fully the needs and desires, from the legal point of view, of the people of Bogalusa. During this occasion, I participated, with the members of the executive committee of the Voters League, in the desegregation of the only good restaurant in Bogalusa which only a few days before had been the scene of violence. Similarly, I participated twice in a march to the Civic Center, once when Ronnie Moore and I led the demonstration under the "protection" of live machine guns carried by state troopers.

While these Bogalusa activities were going on, there was no letup in other areas of the state. School cases were filed, for example in West Feliciana, previously the source of so much trouble. The complaint was filed on behalf of SEDF ~~and CORE~~ by attorney Murphy Bell of Baton Rouge who works very closely with CORE State Director, Ronnie Moore in attempting to fulfill the needs of the people of that area of Louisiana. When Federal Judge West issued an order of desegregation of the West Feliciana schools which was not satisfactory in terms of speed of desegregation, I

Cont'd.....

instructed our attorneys immediately to appeal, and ask for an emergency session of the Fifth Circuit. This has been done and that appeal will be heard Thursday, August 12. We hope to obtain a better order of desegregation from the Fifth Circuit.

With regard to the central area of Louisiana, Ronnie Moore had spoken to me concerning a request to set up a revolving litigation fund to be used at appropriate times to be able to begin important cases instantaneously when necessary. He reports that the lack of such a fund not only has slowed them up at times but is a source of difficulty with Murphy Bell who feels hampered by this lack. I would like to have the Legal Committee consider the possibility of a $1,000 revolving fund being provided for such purpose.

Nor was this all that was going on. Robert Collins and I appeared in Monroe before Federal Judge Ben C. Dawkins on the Jackson Parish (Jonesboro) school bond case. We have here illustrated the power of the position we took in these matters. Very influential members of the financial community in the south appeared in court at this time to make certain that the bonds were released. After considerable debate, in which Collins and I were very stubborn about releasing the bonds, we finally agreed to a release upon condition that the schools would commence desegregation immediately with no less than four grades to start in September, 1965. No doubt exists that this was a great victory. We have been threatened with a law suit here because of the higher rate of interest paid for these bonds.

Our local attorneys have been instructed and have in fact filed a similar action in the $6,000,000 city of Monroe bond case. As fast as the two prior school bond cases were satisfactorily concluded, this one we are trying to speed still more.

In addition to all this, there were numerous cases of arrest in Jonesboro, Homer and other communities which had to be defended.

I was able to observe partially, at least, the operation of the new radio system in both New Orleans and Bogalusa. As you know, I was able to obtain the business radio license by appearing personnaly at the FCC and filing a special application which, amusingly, was written out by me in longhand. I assume they gave me the license because they couldn't read what I said.

Cont'd.....

While the operation in Louisiana has been extraordinarily successful this summer, there are matters for serious concern. The LCDC lawyers will be leaving Louisiana, presumably shortly after Labor Day. I would regret not being able to keep up active legal work thereafter when the need may be almost as great. One of the things that should be considered is whether a small office should be opened, perhaps in Baton Rouge, manned by probably two lawyers to carry out the needs of civil rights people during the winter months. It could be under the immediate supervision of Murphy Bell, Collins, Douglas and Elie, and under my overall direction. There is much that can be done.

I spent a couple of days with John Due. By now, of course, you have received some of the fruit of that meeting. John works incredibly hard, spending many long hours often beginning at 5 or 6 in the morning to get his dictation onto tape and frequently going on at night to community meetings. While the amount of litigation stemming from that office has perhaps been somewhat unsatisfactory up to recently, this in large part has been due to the demands upon John's time in other necessary areas. He has spent many hours each day serving as a legal clinic and at the same time giving advice to movement people about their problems, and on top of it, meeting with many local groups all over central and northern Florida setting up organized efforts in community areas and corporations designed to meet the standards of various parts ofthe poverty program.

There has been a fairly large amount of defensive legal work but intil recently the only major affirmative suit was the Tallahassee swimming pool case currently before the Fifth Circuit Court of Appeals. This case is significant in that Judge Carswell has taken the position that what Tallahassee did was wrong but the federal court has no power to correct that wrong. We hope to obtain a reversal from the Fifth Circuit, and if we do, it will be a significant legal victory since to be the best of our knowledge, never, in a civil rights context, has a court ordered a public authority to open a facility that was closed. Closing a facility hangs as a threat over the Negro community whenever it wants to integrate some activity.

This past week several important cases have been filed in northern Florida, and you will be receiving reports directly from John on those. He has the cooperation of LCDC lawyers and LSCRRC personnel

Cont'd....

who are working in his office.

The physical layout of the office is good. All Told ~~tolled,~~ he has there about three times the amount of space allotted to the Legal Department at 38 Park Row. He lacks, however, and needs very badly, a first-rate secretary who will be able to keep track of his various activities and handle problems while he is out of the office as is required of him. He also has need of some assistance for research work, perhaps a young graduate from Florida A & M or perhaps a couple of third-year students at Florida A & M may fill the need. While he has adequate space he has absolutely no library facilities at all. At the minimum, he needs the Vanderbilt Race Relations Law Reporter which is of modest cost and extremely useful. He needs a book such as Moore's Federal Practice (for that matter, so does the National Office), and a few text books on constitutional law (similarly needed by the National Office). One of the things SEDF might try to do is to get some retired or about-to-be retired lawyer to make a gift of U. S. Supreme Court Reports, both to north Florida and to the National Office. Incredible loss of man-hour effort is involved in not having books such as are referred to.

I trust that his report as to docket of cases and general needs will be of value to you in your analysis. I do think it important, however, at some time in the not too distant future we consider visiting the office to observe and talk with John, as well as a trip to other areas. I also spent a half a day in Jacksonville and another half-day in St. Augustine meeting with such persons as Judge Bryan Simpson of the Federal Court and Dr. Hayling of the St. Augustine movement.

Carl Rachlin

P. S. Enclosed are my expenses for this trip, not including the fare and hotel bills. The last will be for only part of the time as on part of the trip I did not incur an expense.

August 24, 1965

Carl Rachlin, Esq.
Congress of Racial Equality
38 Park Row
New York, New York 10038

Dear Carl:

As you know, the guidelines for our legal program indicate that it is not appropriate for us to pay bond except in very unusual circumstances where it can be clearly shown that the size of the bond is discriminatory.

I am, therefore, returning to you the bill from F. A. Morgan covering bond issue in Louisiana.

Cordially,

Marvin

MR:hm
Enclosure

cc: Miss Charlaine Shelto

September 13, 1965

David Norman, Esq.
United States Department of Justice
Washington, D. C.

Dear Mr. Norman:

I enclose herewith for action by your department a statement from one Ann Early, which shows a clear violation, in our view, of the Civil Rights Act at Clark's Motor Court, just outside of Quincy, Florida.

More importantly, however, the statement shows the failure on the part of the Deputy Sheriff, Robert Martin, to perform his duty under the law, and we believe this to be a violation of Title XVIII. You will note also that Judge Blackburn refuses to protect the rights of Ann Early. I also enclose a letter from the Administrative Assistant to Governor Burns, of Florida who refers the matter back to the local courts, although he does state that the Civil Rights Act seems to apply.

As we have stated on numerous occasions, this area of Northern Florida requires special attention. Violation after violation occurs there. It is clear that the local authorities will do little or nothing.

May we request your immediate attention on this and other matters referred to you.

Sincerely,

CARL RACHLIN
General Counsel

CR/os

cc: John Doar, Esq.   Marvin Rich
    John Due, Esq.   Spiver Gordon

TO: DR. GEORGE WILEY

FROM: Charlaine Shelto September 16, 1965

RE: Legal Department Bills

Per your request to Mr. Rachlin, the attached represents a fairly accurate financial statement prepared from information from various sources. You will note that there are bills that still remain in question as to amount and how they were incurred. I will discuss with Mr. Rachlin as soon as possible the best course to take to clear these up with the parties concerned.

Respectfully submitted,

Charlaine Shelto

/cs

Charlaine Shelto

CORE Legal Department - Outstanding Bills

National Office Responsibility

		Purpose	Amount	
	Bonds			
	W. R. Smith	Florida	$ 600.00	
	Bankers Fire & Casualty	Chapel Hill Cases	2,500.00	
not one of our bills	Durham CORE	Bankers Fire & Casualty	100.00	
paid by [illegible]	Jack Meyer		400.00	
	Maryland National Insurance Co.	Ronnie Moore	717.00	
	Calvin Bail Bond	Mary F. Lovelace	50.00	
			$ 4,367.00	
	Retainers			
	Floyd McKissick	July-December, 1964	1,500.00 *	
paid	Collins, Douglas & Elie,	July-December, 1964	2,400.00 *	—1/2
	Tobias Simon		500.00 **	
✓	"	Travel expenses	246.55 **	
	John Silverberg	World's Fair	833.34	
			4,479.89	

TOTAL $ 8, 846.89

* These are old bills and it is still undetermined as to whether or not SEDF will pay them.

** The $500 is an old bill and the amount is in question; the same applies to the $246. Hannie attempted to write to Mr. Simon to clear up his bill by means of a detailed, complete statement, but I learned that he never wrote back with the information.

paid [CS
9/16/65

CORE Legal Department - Outstanding Bills

SEDF RESPONSIBILITY

		Purpose	Amount	
	Stenographic (Court Reporters)			
	Hunnicutt	Tulsa	$ 192.00	not one of our bills
paid by SEDF	Edelstein∠1	Serjeant case (N.J.)	~~121.00~~	
	Tate	Picadilly v. CORE	16.75	
	Fay Schaffer	People v. Woodall & Valentine	70.00	
	Printing			
	David Bromberg	Wechsler case	164.50	
	Kunstler	CORE v. Clinton	26.71	
	Todd	Cox v. Louisiana	11.77	
paid	Grosby Press	Brown v. Louisiana		
	LCDC	Wechsler v. Florida	112.60	
✓	Institute of Modern Legal Thought won't pay	Carl Rachlin Article	139.02	
	Legal Expenses			
?	Murphy Bell		349.50∠2	
?	"		250.00∠2	
	Kunstler	Lowry case	318.49	← in accounts payable
	"	Core v. Clinton	241.64	
	LCDC	Wechsler case	85.00	
	Clarence Malone	State v. Fox	1,476.00	
	Wm. Marsh	N.C. v Ware, (Chapel Hill)	150.00	
	McKissick	Chapel Hill	3,500.00	
paid	Ernest Finney paid	S. Carolina Project	~~393.62~~	

Cont'd.....

Core Legal Department Outstanding Bills

SEDF Responsibility

		$
paid ✓ Mason's Motel International	Carl Rachlin	~~88.77~~
George Schiffer		?
Larry Weisman	St. Augustine suit Madison County Suit	95.00
Murphy Bell	Legal Services July	450.00

Literature

Civil Rights Handbook	108.53
	$7,565.51

∠1 This bill was to be paid by New Jersey CORE; they were to raise money. I do not know what the situation is now.

∠2 There is no indication as to what these two bills are for, or when they were incurred, or whether or not they were paid. I will try to work this out with Mr. Bell.

CS
September 16, 1965

DRAFT

September 21, 1965

Mr. Marvin Rich
CORE, SEDF
150 Nassau Street
New York, New York

Dear Marvin:

As I briefly told you on the phone yesterday, our appearance in Monroe, before Judge Dawkins in the Monroe City school bond case was most successful. A few days prior to the trial the City had submitted a supplementary pleading in effect asking for damages against plaintiffs for attacking the bond and in this supplementary pleading they attacked me personally based upon the quote in the New York Times article some weeks ago. During the course of the trial the City made one more effort to show that the plaintiffs did not really want to bring the case. One of the two plaintiffs, in effect so stated in open court, but the other, Mrs. Andrews, was very firm and was not shaken on cross examination at all.

We had no difficulty improving from the testimony of the superintendent of schools the factual information needed for our case. At the appropriate moment, much to the surprise and horror of the LCDC volunteer who assisted me, I asked the judge to call a conference at the bench and requested the judge to note that there was no point in going further since it was obvious there was no real defense to our complaint. At this point we negotiated and even though the City has 30 days in which to submit a plan the basic proposals show that all 12 grades must be desegregated prior to the opening of the September term in 1968, with at least four grades beginning January, 1966. This is good progress and made the case worthwhile. It was clear that the City of Monroe knew it was over the barrel and despite a little bluff, it gave up quickly because of the way we had the bonds tied up.

The two senior partners of the law firm that represents all the largest financial institutions in the south, Foley, Judell & Morel, were both present in court. In this case they were representing the First National City Bank of New York who had bought the bonds but was not able to distribute them because of what we had done. After the case was over, Mr. Foley and Mr. Judell offered me a ride to New Orleans in their private plane, when I indicated I was going to Jackson they both said a little ruefully that they hoped that they would only see me again on social occasions.

I have asked Richard Haley to convass the possibilities of a public improvement bond attack in La Fourche Parish. He is very interested and I expect to hear from him soon.

? why this parish

As you perhaps know the clipping service, almost every day sends us another story that has appeared in papers literally all over the United States about this approach of ours. No legal matter in recent years has developed the same amount of broad interest that this has engendered.

Which leads me to our future plans; by careful utilization of SEDF scholarship students Hollander, and Finney and by begging additional student assistance from the Law Students Civil Rights Research Council and the Arthur Garfield Hays Civil Liberties program I hope to begin the serious work involved in our northern school desegregation program and to make an analysis of the effects of the Office of Education agreements with school districts since all indications point to very little success based upon the Office of Education work. It is becoming more and more clear and I have stated that in the memorandum which you probably have received by this time on education, that the Office of Education guidelines are really a guideline to those who wish to continue segregated schools. If the detailed study follows the preliminary analysis we must make a hard-head attack on the Office of Education unless it agrees to abandon its support of pupil placement programs and district schools.

In addition, I think it important that I follow up two committments on important writing projects (a) Boston College Law Review has asked for a sharp analysis of Title VII of the 1964 Civil Rights Act. Dereck Van Hoorn, one of our summer students hopefully will be able to help me on this job. I have already given him a detailed outline of the approach that I wish to take which will be partly sociological and partly legal.

(b) Harvard Law Review is waiting for an article which I currently entitle "New Approaches to School Desegregation Since Brown". This would largely refer to the work we have been doing or are planning in (1) bond situations (2) State-wide situations (3) northern so-called de facto situations.

In addition, of course we have an argument in the United States Supreme Court in the next two months on that Clinton, Louisiana library case and we are filing a petition for certiorari in one of the Rutgers housing cases. In this last one I have finally gotten assistance from a lawyer who understands the kind of approach I want to make to the Supreme Court. While I think we will lose the case and petition for certiorari will be denied, nevertheless, the educative process is important. The Supreme Court has got to begin to understand northern segregation and discrimination problems. They cannot be handled in the same way that northern problems are handled. The evidence is fairly clear that the court will not and may never buy the strict First and Fourteenth Amendment type of approach for the northern problem. We are also writing an appellate brief and I will argue the Trenton City Council, which will have interesting ramifications.

Furthermore, we have an important case coming up in the Supreme Court of Oklahoma which our very fine volunteer Marvin Karpatkin has been assisting me on.

As you requested, we are preparing a docket of all our cases for you fairly soon. I have only been able to refer to some of the highlights that are current. No reference has been made to the Minden, Louisiana school desegregation case and the various things we have initiated in Bogalusa, West Feliciana, etc. I strongly suspect that George Raymond, as project director in Mississippi will make Mississippi a busier area than it has been for some time. George is a dynamic person as you know, and we will try to develop a variety of community activities.

Bronstein told me the other day that despite certain unfair criticism, even from some of our own people in Mississippi, George's leadership of the Rankin County march was admirable.

By the end of this week Bronstein will merely have himself and Bruce Rogow in his office in Jackson. The Shreveport and Monroe offices are being closed. Harris David will continue indefinitely in New Orleans. This leaves the whole central and northern area of Louisiana in the kind of a situation that I find distressing and I would like to discuss this further.

With the cooperation of LCDC and after the analysis made by me we have sent Henry di Suvero into St. George, Dorchester County, South Carolina where he is working with McCain, Robinson and the other people in that area. I have heard that they are very pleased with having him and particularly with having a lawyer in that area, even if temporarily. My analysis indicated that their legal problems were sufficiently severe to have one, and that the South Carolina attorneys were not sufficiently vigorous to handle the kinds of problems that were developing.

As you know, we have been operating with less than a bare minimum library. In fact the only thing we have is the Vanderbilt University's Race Relations Law Reporter which is a remarkable and fine work but by no means a substitute for a library. It is extremely helpful but we must have in addition, the United States Law Week, which costs approximately $125.00 per year and either Moore's Federal Practice or Barron's and Holtzoff's to the same effect. I do not know precisely the cost of either of the latter two items, but they are not terribly expensive. I am still trying to beg or borrow a set of the United States Supreme Court Reports and maybe even the Federal Reports. I think that you can give us some help on these matters.

Sincerely yours,

CARL RACHLIN
General Counsel

CR/cs

MEMORANDUM FOR THE RECORD

October 4, 1965

SUBJECT: Summary of Discussion between Andrew Norman, Marvin Rich, Carl Rachlin and George Wiley Regarding Legal Situation

SEDF will employ Carl Rachlin as director of its legal program at a monthly retainer of $900 per month. In addition, SEDF will pay $180 per month for rent for his office and that of his assistant and secretary. SEDF will also pay $300 per month for use of the phone. This last charge shall not include credit card calls placed from outside the office. SEDF shall also pay the New York City Postmaster $90 per month for postage used by the Legal Department and will pay $180 per month toward Mr. Rachlin's travel.

Thus, Mr. Rachlin's personal retainer will come to $900 per month and the expenses we will pay toward the operation of the New York office are $750 per month.

MR/hm

October 18, 1965

More intensive analysis of the actual costs of the Legal Department made slight changes in the allocation of expenses for the Legal Department. SEDF will pay Barhite and Holzinger $145 per month for rent. SEDF will pay the New York Telephone Company $200 per month, and the New York City Postmaster, $120 per month. SEDF will pay the actual costs of invoices for Mr. Rachlin's travel rather than a fixed monthly fee.

MEMORANDUM

TO: George Wiley October 25, 1965

FROM: Marvin Rich

SUBJECT: Legal Department Bills

I have gone over the list of bills prepared by Charlaine Shelto on September 16.

The stenographic bill for $121 of Mr. Edelstein on the Sarjeat case has been paid by SEDF. Other bills paid are, Ernest Finney's bill with regard to the South Carolina project this summer in the amount of $393.62, and the Mason's Motel bill for $88.77 for Carl Rachlin.

I do know that the Hunnicutt bill with regard to the Tulsa case is not an obligation. Rather the court stenographer indicated that the Chapter had an outstanding bill of $192 and wondered if this amount might be paid by National or SEDF. However, he never presented a bill. I have a feeling that a number of the other bills are of the same order.

We have tried to work out an arrangement with Murphy Bell where we pay him a monthly retainer and an additional fee on a hourly basis. I do not believe that there is an amount owed to Mr. Bell at this time. However, since he is often late in sending in reports, it is difficult to be sure.

I think many of the outstanding bills listed on the account should be considered closed unelss we are pressed.

SEDF will pay any bills in the Clinton, Cox, Brown, or Wechsler cases.

The major unresolved cases are those from North Carolina. I would think we should discuss these at some length.

In my judgment, the bill from the Institute of Modern Legal Thought is not a legal bill, but is rather a public information item, and should be so considered.

MR/hm

MEMORANDUM

December 20, 1965

TO: Legal Committee Members

FROM: Marvin Rich

SUBJECT: Trip to the South, Monday through Thursday, December 6-9, 1965

On December 6, I watched Carl Rachlin and Murphy W. Bell argue Clinton vs. Louisiana in the U. S. Supreme Court. This is a library desegregation case. The District Attorney, Richmond Kilbourne of East Feliciana Parish argued that though no Negroes had ever used the library, it was not, in fact, a segregated library. It was not possible to get into the record that immediately after the testing of the library facilities by four CORE members in the spring of 1964, that the library buildings were closed. However, the record clearly indicated that library buildings had not been used for Negroes, and by the existence of a white book mobile and a Negro book mobile. The record at the lowest court was not as clear as it might have been.

South Carolina

Our South Carolina voter registration project has been under way for almost a year now. Until this summer, there was very little legal work associated with it. During the summer, we had a few arrests in Dorchester County. These were handled adequately by local counsel. In the fall, there were additional arrests of local people and of staff workers. The local community asked us to file a number of a affirmative suits. There has been some friction between staff members and the attorney who has handled most of our work in South Carolina. This has resulted in bringing in lawyers from New York and Washington for two or three days to handle particular incidents.

After my visit I do not feel that it is satisfactory to bring in outside lawyers for a brief period of time. Inevitably, these cases require a certain period of time from inception to conclusion. Defendants stay in jail unnecessarily without proper counsel. There is a possibility of missed plane connections. Local lawyers are still needed for certain aspects of the work. Nor have we saved money by this process. I think that we must either establish an office in South Carolina or a firm retainer relationship. This obviously requires working out with field staff people.

- more -

Florida

In Tallahassee I met with John Due and a number of others regarding the possibility of securing an OEO grant as a neighborhood legal assistance project for our north Florida operations. It is quite clear that John is carrying on a legal program which qualifies under the term of the Act. It is also clear that the proposal that we have would be unusual in several ways. (1) we make it clear that we will continue to defend civil rights and civil liberties of individuals (2) we plan to involve a multi-county predominantly rural area, with local offices open one or two days a week in a number of counties, and (3) while we attempt to secure Bar Association approval, the very fact of the multi-county set-up makes this more difficult. Obviously, this will be difficult in north Florida in any case.

However, we have been assured of interracial support from a representative grouping of people throughout the area. I hope to have a narrative proposal prepared for north Florida by the end of the year.

Could we consider both the South Carolina and north Florida problems at a meeting of the Legal Committee early in January?

MR/hm

JAN 25 1966

NEW YORK CITY
ECONOMIC OPPORTUNITY COMMITTEE
100 CHURCH STREET
NEW YORK, N.Y. 10007
TELEPHONE 566-5710

Anne M. Roberts
Executive Director

Hon. Paul R. Screvane
Chairman
Joseph Monserrat
Vice Chairman
Hon. Julius C. C. Edelstein
Executive Secretary
Rev. John B. Ahern
Treasurer
Hon. Herman Badillo
Robert Carter, Esq.
Dr. John V. Connorton
Mrs. Almira Coursey
Dr. Bernard E. Donovan
Hon. James R. Dumpson
Dr. Theodore H. Lang
Hon. James J. McFadden
Hon. Arthur J. Rogers
Hon. William F. Shea
Dr. Francisco Trilla
Joseph Willen

JAN 21 1966

Carl Rachlin, Esq.
General Counsel, Core Scholarship,
Education and Defense Fund, Inc.
150 Nassau Street, New York, N.Y. 10038

Dear Mr. Rachlin:

I have received a copy of the letter you forwarded on December 20, 1965 to E. Clinton Bamberger, Director of OEO Legal Services. I would be very glad to discuss with you at any time the matters raised in the letter.

I should mention to you that it is the role of this office primarily to receive and evaluate program proposals. The basic structure of the anti-poverty program in New York City involves the planning and implementation by the Council Against Poverty of certain basic and limited programs. The main role of the Council is to serve as the policy body for anti-poverty in New York City, and to respond to programs proposed by various agencies which seek federal funds to operate anti-poverty activities.

At the moment, the Council Against Poverty has pending before it eight different proposals for legal services in New York City. One of these proposes that the jurisdiction of the Council Against Poverty over legal services be assigned to a City-wide corporation to be established as the policy body and the supervisor of legal programs in the City. This organization would also run neighborhood law offices in certain areas of the City.

The other seven proposals before the Council all request independent programs to be operated by the applicant agencies. If the City-wide corporation is established, these agencies would operate their programs by subcontract.

Although I have made many efforts to discuss the legal service problems in New York City with various organizations, it is not necessarily the role of the staff to ensure that any agency interested in operating legal services be provided for. Basically,

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the program operates as a result of the initiative of organizations preparing and submitting proposals for Community Action programs.

If you would like to discuss this further, my telephone is 566-6785, and I would be glad to hear from you.

Sincerely yours,

William R Fry

William R. Fry,
Chief Counsel

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MEMORANDUM

January 26, 1966

TO: Carl Rachlin

FROM: Marvin Rich

RE: Meyer vs. the Board of Education

Last week I asked you to give me a copy of the complaint in Meyer vs. the Board of Education. I did not receive it. Yesterday I asked both Charlaine Shelto and Steve Nagler for a copy of the complaint and told them both it was extremely important. I've not yet received it.

It is important that I receive this complaint immediately. Further, it is important that reasonable requests such as these be fulfilled promptly. There is no excuse for this failure. Your office is frequently uncovered because of late arrivals, therefore, it seems reasonable that a staff member could spend five minutes bringing over an essential document.

Further, I think it only good practice that I receive copies of these complaints, motions, and briefs when they are filed. This would obviate this kind of difficulty in the future.

MR/hm

cc: Steve Nagler
Charlaine Shelto

CORE
SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND, INC.
150 NASSAU STREET, ROOM 1707
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

January 28, 1966

Mr. Marvin Rich
Executive Director
CORE Scholarship, Education
and Defense Fund
150 Nassau Street
Room 1707
New York, New York 10038

Dear Marvin:

I want you to be kept abreast of the newer things that we are doing.

1) Within the next month to five or six weeks, we will file Petition for Certiorari to the United States Supreme Court.

   a) Pierson v. Ray - which raises the novel question of the liability of a trial judge for damages to persons he convicts and sentences in civil rights cases. There are other issues involved in this but this is the most interesting.

   b) Chaffee v. Johnson - you are familiar with this case in which we are asking the Supreme Court to enjoin her perjury trial in Mississippi.

   c) Penn v. New York - which raises interesting questions concerning the right of demonstrators to call attention to the crimes committed by employers and unions in the building industry and being arrested for their pains.

can we get copies of petition

2) In addition, we have an appointment Wednesday, February 2, at the chambers of Judge Fuld of the Court of Appeals of the State of New York to ask for permission to appeal in two cases, one of which raises an unusual question.

   People v. Sprowal and Gordon involves the arrest and conviction under a special section of the law

Cont'd....

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■ president; Andrew E. Norman ■ vice presidents; William S. Ellis, Nannette Sachs ■ secretary; Ezra Levin ■ treasurer; Shelley Appleton ■ executive director; Marvin Rich ■ leadership development director; Ronnie M. Moore ■ legal director; Carl Rachlin ■ BOARD OF DIRECTORS; Adele Addison ■ John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Dr. Kenneth B. Clark ■ Charlotte Devree ■ Robert F. Drinan, S.J. ■ John Henry Faulk ■ Doris Freedman ■ Dr. Edward L. Gibson ■ The Rev. Frederick James ■ Clarence B. Jones ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

involving loitering in the vicinity of a school. Sprowal and Gordon were distributing leaflets for CORE near the school and were arrested. We think this is an unconstitutional application of this statute, particularly since Sprowal was given a 60 day sentence for an absurd offense at most. The law should be tested as to whether that kind of statute can be applied to free speech situations.

We are also asking for permission to appeal one of the Callender cases which involved an extraordinarily high sentence and is worthy of appeal, even on that ground alone, as well as the other issues.

3) We have undertaken to help Arnold Goldwag in his application for readmission to Brooklyn College. He has had no arrests since December, 1963 and has been quietly working as a sales clerk in a liquor store and is now seeking readmission to Brooklyn College. The Dean of Men has turned down his application and we are appealing to President Gideonse to reverse the Dean. I am not certain whether we can go into court on this but I will advise you accordingly.

4) Steve has brought several important cases north from Tallahassee because of the quantity of work. They are as follows:

    a) Grady - kidnapping case, with suit being brought against a Florida sheriff, a Georgia sheriff, and a bondsman for taking,forcibly, defendant Grady across state lines and imprisoning him.

    b) Complaint against Edwards Hospital is being brought by a man named Walton for alleged discrimination.

    c) Spiver Gordon - you are familiar with this case, in which a CORE Field Secretary is charged with soliciting to perform an indecent act.

Sincerely,

CARL RACHLIN
General Counsel

CR/cs

February 11, 1966

Carl Rachlin, Esq.
CORE
38 Park Row
New York, New York 10038

Dear Carl:

You are authorized to hire a typist for one week to get out the petitions for certiorari.

I have a bill from John Silvergerg which I would like you to check. We certainly cannot pay the bill for $225 to the Independent Citizens Committee for Beame, O'Connor and Procaccino, but I do not know about the validity of the other elements in the bill.

Cordially,

Marv

MR:hm
Enclosure

March 18, 1966

Carl Rachlin, Esq.
CORE
38 Park Row
New York, New York 10038

Dear Carl:

I have the carbon of your letter to Dr. Charles Collinsoof San Diego CORE. Wouldn't it be wise to ask him to have his local attorney get in touch with you direstly. I presume you can send the attorney a copy of your petition and indicate that we would be willing to pay cort costs, but not fees in this case.

Also, I would like to see the petition before it is formerly filed.

Cordially,

Marv

MR:hm

Recd 3/29/66

MEMORANDUM

TO: Stephen Nagler & Marvin Rich ✓

FROM: Carl Rachlin

DATE: March 28, 1966

I met this morning with Mr. Scott and Mr. Peoples of Rockland County CORE who are vey much concerned with segregated volunteer Fire Departments in Rockland County and wanted to know what help we could give them. I made the following suggestions:

(1) Because Nyack is in the process of soon selling bonds to raise money for the Fire Department, I suggested a suit to restrain the sale until they agree to desegregate.

(2) I suggested a suit to restrain Rockland County's Board of Supervisors from distributing any county money for volunteer fire services until the Board of Supervisors has an undertaking from every village and town in the county agreeing to desegregate.

I think both these things have real possibility. They have a group of lawyers helping them. They are:

Werner Loeb - Nyack
Jacob Wexler - Nyack also Pearl River
Albert Holland -
Myron Maudel - Highland Falls
Dr. Charles James -
William Scott -
James Peoples -

We will hear within the next day or so whether these plans or any variation will go through.

(3) I also agreed to pick up the tab for court expenses not including any legal fees. On the latter, they assured me the above lawyers were volunteers.

CORE
SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND, INC.
150 NASSAU STREET, ROOM 1707
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

March 31, 1966

Mr. Marvin Rich
C.O.R.E. - S.E.D.F.
150 Nassau Street
New York, New York

Dear Marvin:

Because of the extreme poverty at the CORE office, ordinary clerical supplies are not available such as: steno pads, pencils, cheap ball point pens and legal-size onion-skin paper. For example, Teena is taking this letter on a yellow pad because there are no steno pads. I do not like this because yellow pads have a habit of falling apart. Steno records should be kept for a year or more in case they should ever be required for legal procedures. Similarly, this is true of the duplicating SCM photo copying machine; while not as good as Xerox, it is an adequate machine but we run out of legal size paper particularly.

Accordingly, and we promise to be careful, we would like authority to purchase a suitable quantity of supplies to be available only to the Legal Department and I would give Teena strict orders to keep it under lock and key. One other thing, as you know it is important in regard to the Legal Department that I work late at night at home away from the telephone. Obviously, it would be useful and practical to have any kind of library at my home but I would like authority to purchase one book. This book which would be extremely valuable to us is published by the United States Government Printing Office. The name of the book is ANNOTATED EDITION OF THE UNITED STATES CONSTITUTION. It is my understanding that this book seels for $15.15. I think it is a good investment.

Sincerely,

Carl Rachlin

CR:tp

Carl Rachlin tp
General Counsel

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■ *president;* Andrew E. Norman ■ *vice presidents;* William S. Ellis, Nannette Sachs ■ *secretary;* Ezra Levin ■ *treasurer;* Shelley Appleton ■ *executive director;* Marvin Rich ■ *leadership development director;* Ronnie M. Moore ■ *legal director;* Carl Rachlin ■ *BOARD OF DIRECTORS;* Adele Addison ■ John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Dr. Kenneth B. Clark ■ Charlotte Devree ■ Robert F. Drinan, S.J. ■ John Henry Faulk ■ Doris Freedman ■ Dr. Edward L. Gibson ■ The Rev. Frederick James ■ Clarence B. Jones ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

April 4, 1966

Carl Rachlin, Esq.
38 Park Row
New York, New York 10038

Dear Carl:

As you know when we agreed to take over the expenses of the administration of the legal program in September of last year, we made an allocation for postage, office supplies, rent, etc. I do not feel that we can properly increase this at this time. In fact, I have the feeling that we were a little overly generous. If you would like, I can discuss this with Floyd McKissick.

There is no reason why you should not buy the annotated edition of the U. S. Constitution. Buy it, and send the bill here.

Cordially,

Marvin Rich

MR:hm

April 22 1966

MEMORANDUM

TO: Andrew Norman, Marvin Karpatkin, William Ellis, Ezra Levin, Eric Rosenfeld & Marvin Rich

FROM: Carl Rachlin

RE: S.E.D.F.'s Legal Objectives For The Forseeable Future

Since the initial development of the S.E.D.F. legal program, much has changed in the civil rights movement both structurally and programmatically. This necessitates a sharp re-examination of our own programmatic conceptions of the next steps to be taken and the S.E.D.F. role in the changing civil rights movement.

Programmatically, of course, emphasis has already moved to Northern cities despite the continuance of Southern activities in some areas. The 1965 Voting Rights Act has had a tremendous impact on Southern communities and Negro strength of a political and economic nature and is being be felt for the first time in a hundred years. What the ultimate use of this strength will be of course is guess work.

What is our concern, however, is the fact that in almost all areas there has been an atomization of the national civil rights movements, while national organizations in the Southern communities have not been eliminated, the great development in the last year and a half or so has been the growth of local indigenous organizations seriously attempting to develop their own strength and solve their own problems. Part of the reason for this atomization, of course, has been the very fact that the national organizations themselves in working in Southern communities very frequently encouraged just this kind of development. This was particularly true of SNCC and largely true of CORE. Nor should the recent march in Mississippi be considered important as it was, particularly for the sounding of the clarion call, "Black Power", as any more than an historical accident.

As a result, the rendering of legal assistance has to be evaluated in these terms. One of the factors which must be taken into account is the open unfriendliness, no longer muted, between the NAACP and the NAACP Legal Defense and Education Fund. Both have their own legal program. Each one has tax exemption. In the case of the NAACP an internal tax exempt trust has been set up for this purpose. The Legal Defense Fund, of course, has had tax exemption for many years.

The Legal Defense Fund has been more active in the South with the NAACP emphasizing the North in its legal affairs. The Legal Defense Fund accordingly will be effected by this even though it has many relations with NAACP personnel and various parts of the South. It also has had a close relationship with Martin Luther King. How this will be effected by King's concentration in Chicago is somewhat uncertain. But King is developing a strong program in Grenada, Mississippi and I assume that the Legal Defense Fund will represent King particularly since it has two lawyers situated in Mississippi: Henry Aronson and Marion Wright. With this in mind I see no useful purpose to our even considering seriously offering legal aid in Mississippi except in such capacity as I can because of my relationship with the other strong legal assistance program in that area, namely LCDC. As you know, I am now the President of LCDC.

There is more than adequate legal assistance in Mississippi at this time and it would be a futile gesture on our part to attempt to do more than keep in contact mainly with LCDC with whom we have reasonably good relationships. In addition, President's Committee is also in Mississippi so that the area which was barren a few years ago is now closely assisted by lawyers.

To some extent, LCDC has spilled over into Alabama, mainly in Selma, and into Louisiana largely, not exclusively, however, Bogalusa. In the case of Louisiana this was at our request when matters in Bogalusa got completely out of hand last year. It was also at my request that LCDC opened offices in Shreveport and Monroe in order to service the CORE chapters in the Northern Louisiana areas. Louisiana considerably less active with the closing of the CORE Southern office /I would hope that SEDF could find some use for the services of a person like Richard Haley whom many consider a very superior person/.

As you know, we have had very close relationships with the New Orleans firm of Collins, Douglas and Elie, and a very friendly, if not quite so close, relationsip with Murphy Bell in Baton Rouge. Collins, Douglas and Elie receive a monthly retainer of $400 plus expenses and Murphy Bell has been receiving $150, monthly, plus expenses. Marvin has advised us the expenses for Louisiana has been reduced in the past months and that we can presumably budget that area satisfactorily at $17,000 including retainer for the coming fiscal year. Exactly how much work will be done is somewhat hard to ascertain; a lot depends on how active some of the groups that Ronnie Moore has been working with in his leadership training program become and whether they will keep in sufficient contact with us os that we can refer them to Collins, Douglas and Elie or Murphy Bell. As you all know Alvin Bronstein is a very vigorous, hard-working lawyer with a reasonably good staff and his reputation is good in the area; some of the work which might be coming to Collins, Douglas and Elie or Murphy Bell may slough off to the LCDC operation. This will just have to be watched to see, nor is it necessarily a harmful result since it may make more of our money available for other areas where we should be working. On the other, we are developing welfare programs in Louisiana which may open new fields.

In Northern Florida, an area serviced by no one except us, we have had some expense problems; it is our intention to make proposals to John Due to alter the relationship somewhat. Instead of supporting the office and its total costs, about $22,000, we set a figure of $12,500. Approximately $2500 of which would be for expenses of cases, the remainder would be for John for the operation of his office. We would, accordingly permit him to handle private matters and gradually build up a clientele which would help support him to the point where in a few years we might be able to phase out a part of this porgram - perhaps we could put it on a case by case basis instead of a retainer or support basis.

In South Carolina we have worked on a case by case basis almost entirely with Ernest Finney of Sumter. Finney tends to be somewhat conservative but he does work well and we have really no quarrel with the results he has obtained even though some of the people in the field believe that Finney will not handle aggressive litigation and wants to limit himself to defensive matters. There is some truth in this but whether the truth results from his being conservative or from the fact that we have not been able to draw all his papers because of a shortage of hands is not so clear.

But in any event South Carolina is an area where we will continue to work and, perhaps, even develop more program of a legal nature in close conjunction with the several groups that Ronnie Moore and Jim McCain have been working with.

North Carolina is a question mark. There are many things we could be doing there but our relationship with Moses Burt is unclear. He doesn't answer correspondence and despite the fact that he came to our Legal Conference and had several conversations with us which tended to think we could re-establish a good working relationship, since the Conference we have not heard from him at all even though we have attempted to write to him. Most recently we wrote to him about the possibility of a one day meeting with a number of the civil rights lawyers in Durham or some other central point in the state where we could talk over SEDF program and how we could help them with some of the problems that they face.

We have contacts and relationships with lawyers in all Southern states. In fact, we probably have the biggest list of lawyers of any of the civil rights organizations but what work we will be doing in other southern states to a large extent depends upon the demand that come from other aspects of SEDF program such as leadership training, political training programs and the like.

It is in the North, however, that in all likelihood engage our main attention. A new look at legal problems and a new look at the possibilities of our rendering services. While many of the problems overlap North and South, let me illustrate some of the Northern problems by merely citing what we have been in fact doing in Baltimore. We have been involved in public accomodation matters, in injunction proceedings because of demonstrations. We are beginning school litigation. We have been involved in labor relations proceedings including injunctions, picket arrests, union elections and have been asked to conduct labor negotiations. In addition, there are many many welfare problems and we have been setting up meetings and organizing a committee of lawyers to work in the area of welfare law, this means preparing manuals for lawyers and clients. Furthermore, I have been developing a program with various persons in the Baltimore community on slum properties and improving living conditions in the Negro areas. Some discussion about consumer fraud problems has been had and I expect that we will be involved shortly.

While they have a civil rights basis, Northern problems are in the area of legal assistance that is not being furnished by any organized group such as labor unions, legal aid societies, bar association and the like. And yet it is extremely important that it be done. Where labor unions have refused or neglected to do anything about bringing decent incomes to workers in the ghetto stores. When local people form organizations of their own to assist themselves we should be ready by virtue of our experience and desires to assist. Similarly, when people living in the ghettos want us to help develop a prgram which will be of help to them in housing it is our job to do just that; when they are cheated by the retail stores in the area we should be available for that as well as for school problems and other public accomodations problems.

From the very statement of the issues we can see the complexity of legal work clearly in a city like Baltimore or any other large city.

Without doubt we cannot give all the help that will be requested. Shall we limit ourselves geographically, or by accepting only certain types of problems? The former appears simpler than the letter. On the other hand as the leadership training program develops presumably more demands will be made for legal services.

To hire a lawyer who wil be out of school a short time and willing to gain experience and work almost entirely with welfare groups under the direction of a more experienced volunteer may easily be the need in larger cities. This has to be seriously considered. We can use volunteers to handle certain types of work particularly the spill-over of non-welfare legal problems that poor people have. But the day to day welfare problems mu

In the past several months we have been developing very/close relationships with Ed Sparer who is the leading authority on welfare law in the United States and with George Wiley and Dick Cloward who are developing action groups of welfare recipients all over the country. Our relations with these and with Elizabeth Wickenden, if continued, will make it certain that we'll be heavily engaged in welfare law problems in various parts of the U.S.

While we thus can save some money from some aspects of our Southern operation this will be more than spent if we do the kind of Northern work that is needed. We cannot function at all profitably with fewer than two assistants to the General Counsel plus the appropriate clerical assistance.

At the present time LCDC is helping us in Baltimore until the end of July. After that, Fred Weisgal, an able volunteer, will be back in Baltimore; we have major decisions to make as to how we will function in Baltimore and I suggest that we must give serious thought to the hiring of a young lawyer to work under the direction of a volunteer like Fred Weisgal with a back-up committee of volunteers to handle other types of problems.

Baltimore is also an area where I hope that we may be able to raise some money. I have been working closely with the leaders of the Jewish Community Council in Baltimore many of whom are persons of means nad are interested in what we are doing. Before long, based upon the conversations and meetings that I have had this past week, Jacob Blaustein should be involved in one our phases of activities in Baltimore, namely slum housing. Perhaps Marvin can help in this regard.

I would also think it important that as soon as possible that we take over "Operation Bootstrap" in Los Angeles, a peculiarly SEDF type of operation. This would also require some legal assistance but we have volunteers in the Los Angeles area who would be of assistance as well as people like Jack Pratt, a lawyer who is in charge of the Los Angeles Coundil of Churches, and others.

I am convinced that in the next few years, if we are ready we can perform many valuable services in many communities in the North. Obviously, we cannot work with everyone we would like to but we ought to have the kind of flexible help ready in our own Northern office so that we can be available when called upon for help and then see the nature of help required before we plunge too far into any particular situation. We can abandon welfare work but if we do we will abandon some of the other problems that are closely related to the kind of legal work we ought to be doing. In addition this is an area that has long been crying for help for sometime and as far as I can see it is closely related to our program. Accordingly, I recommend the hiring of another lawyer and secretary in the national office.

I have not mentioned a regular work here, but there will always be a fair amount of Appellate work, brief writing, article writing and the like. The important thing to emphasise is that we must have flexible manpower that is useful in several areas and able to direct our volunteers.

LER
NEN
L H. JACKSON
D C. FLESCH
ERICK R. LIVINGSTON
ANLEY D. WAXBERG
JOSEPH G. CONNOLLY
SIDNEY J. SILBERMAN
FREDERICK GELBERG
JAY O. KRAMER
STANLEY D. ROBINSON
SIDNEY A. DIAMOND
FRED A. FREUND
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MILTON J. SCHUBIN

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER
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PLAZA 9-8400

BENJ. M. KAYE
JACOB SCHOLER
COUNSEL

EUROPEAN OFFICE
11 AVENUE DE L'OPÉRA
PARIS 1ER FRANCE

CABLE ADDRESSES
KAYEMACLER NEWYORK
KAYEMACLER PARIS

May 18, 1966

Carl Rachlin, Esq.
Legal Director, Scholarship,
Education and Defense Fund
for Racial Equality, Inc.
150 Nassau Street
New York, New York 10038

Dear Carl:

I was very impressed with the portion which I attended of the law conference sponsored by the Fund at N.Y.U. Law School last weekend. I was very sorry that I was unable to join you for lunch on Saturday.

I would like to get together with you some time to discuss what role I could play in the program of the Fund, recognizing the fact that I am not a trial lawyer and that my principal experience has been in the corporate and commercial field.

I know that the Fund sponsored the conference at considerable expense. I enclose my check to the order of the Fund as evidence of my good faith and also as a contribution to the expenses of the excellent conference.

Sincerely,

Bill

B. W. Nimkin

BWN:mg
Encl.

MEMORANDUM

June 10, 1966

TO: Carl Rachlin,

FROM: Marvin Rich

RE: John Due

John Due is in Indianapolis, and I believe he has been there for at least a week. Were you notified in advance?

His vacation was used up in May. I do believe that we should call a meeting of the Legal Committee to discuss this situation as well as the general outlines of our legal program in the coming year.

MR/hm

MEMORANDUM

June 16, 1966

TO: Carl Rachlin

FROM: Marvin Rich

RE: Legal Costs in Welfare Program

We will be meeting with a number of foundations concerning the welfare program. They will be interested in learning in detail our plans and budget. This means that we must prepare them.

If we plan test cases, i. e., -- how many cases in how many different states, challenging which provisions. What are the approximate cost per case? what are the overhead costs, etc? what do we expect will be the cost of field legal aid? This requires thorough consideration of the relationship between the welfare cases and the general services program.

Please do this as quickly as you can since we are running out of money and time.

MR/hm

cc: William Ellis, Esq.
Andrew E. Norman

XERO COPY XERO COPY XERO COPY XERO COPY

June 27, 1966

MEMORANDUM

TO: Marvin Rich, Stephen Nagler, '66 Law Students,
National CORE Officers and Staff, & S.E.D.F. Staff

FROM; Carl Rachlin - Legal Department

RE: Welfare Undertaking

I have just made an undertaking with Ed Sparer as follows:

1. We will be coordinators for all Ed Sparer's welfare activities in the New York metropolitan area.
2. We will have in the office, a law student who will interview, either by phone or in person, all persons referred to us by Ed Sparer or Frank Espada.
3. We will advise the telephone operators here to refer people who come in or call to immediately turn matter over to law student on duty for that particular day.
4. The cases will be referred to one of the lawyers trained by Ed Sparer or one of our panel.
5. We will work with Ed Sparer on welfare matters in various other parts of the country as well - both on cases and supporting briefs.

4(1)

SCHOLARSHIP, EDUCATION AND DEFENSE FUND FOR RACIAL EQUALITY
inc.
150 NASSAU STREET, NEW YORK, N.Y. 10038
TELEPHONE 964-8210

Rec'd
7/13/66

July 11, 1966

Joseph Rauh, Esq.
General Counsel
Leadership Conference on Civil Rights
2027 Mass. Ave., N.W.
Washington, D. C. 20036

Dear Joe:

I very much regret not being able to be present at the meeting on Tuesday, July 12, 1966. Unfortunately, at the time I received the notice of this meeting, I had several other commitments which could not be put off at this late date. I am taking the liberty of writing to you and sending a copy of this letter to Marvin Kaplan and to Congressman Celler. Not knowing what position the meeting will adopt on July 12th, I take this opportunity to express my views with regard to Title IV, the housing division, because I have come to a sad conclusion that we cannot support this provision as it stands-even if the administrative procedures are allowed to remain by the House of Representatives when it hits the floor.

It is my understanding that the present bill provides in Section 403B that the terms of 403 (that is the section setting forth what constitutes a discrimination in the sale or rental of housing) do not apply to the sale, lease or rental by the owner in any building of more than four families where the owner occupies one of the apartments. I must confess that I was taken in , to some extent, by the argument about Mrs. Murphy's boarding house and almost agreed that the analogy from the Civil Rights Act of 1964 applied to the 1966 Act insofar as an exception to the sale, lease or rental of housing was concerned. But, I am very much afraid that this analogy is not apt. Mrs Murphy's boarding house is at best a transient institution and we were not so much concerned with small transient institutions at that time but the hotels and motels on the roads in the small and large cities to protect the Negro traveler. We are in an entirely different position, however,

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Marvin Rich ▫ leadership development director; Ronnie M. Moore ▫ legal director; Carl Rachlin ▫ BOARD OF DIRECTORS; John P.
James Baldwin ▫ Katrina McCormick Barnes ▫ Canon James P. Breeden ▫ Dr. Kenneth B. Clark ▫ Robert Curvin ▫ Charlotte Devree ▫
Drinan, S.J. ▫ John Henry Faulk ▫ Doris Freedman ▫ Dr. Edward L. Gibson ▫ Norman Hill ▫ Clarence B. Jones ▫ Joann List Levinson ▫ Henry
au, III ▫ Dr. William Stuart Nelson ▫ Elaine Slater ▫ Norman Thomas ▫ Rowland Watts ▫ Pearl L. Willen

at this time. The exception of four family dwellings eliminates a substantial part of the housing in the United States leaving really only large projects generally in the larger cities. It means that forever, the white suburb will remain intact lily white.

Whatever merits there may be (and I have doubts about those too) to the continuance of the right to discriminate where the owner himself is one of the occupants of a small dwelling of one or two units, this is limited (or should be) limited solely to the rental and the leasing of those premises owner-occupied and not to the sale of those premises. Why should the owner, who is abandoning the house he currently occupies and selling it to someone else, retain the right to discriminate. There is only one reason that I know of and that is so that he can protect his lily white neighbors from invasion by "outlanders". This matter is of such importance, I think, that I cannot support this legislation so long as this remains in the bill.

Joe, I need not remind you how at the ADA convention in 1948 (perhaps I'm off a year one way or the other) at the time the then housing and school bills were being debated in Congress and similarily being considered by the ADA convention, a few persons and I attempted to persuade the convention that non-discriminatory provisions must be included in that legislation. At the time, we were told that it was so important to have housing and so important to have schools that we should abandon this non-discriminatory fight. Well, we know what has happened since then. The lily white suburb has grown just out of that legislation. It is with that staring me in the face that I must be obliged to take a strong position at this time. I trust the others on the committee will see it as I do.

There are a few other matters of lesser importance in this section which I should like to indicate some negative feelings. For example, I do not see the reasons for fraternal organizations being given the right to discriminate.While there may be some argument in the case of religious institutions or perhaps even charitable institutions (although I have doubts about that) or educational institutions where I similarily have doubts, I see no argument in the case of fraternal organizations and I trust that we would indicate strong displeasure at that exception.

I am somewhat concerned about Section 405. I trust my fear is exaggerated. Section 405 as we know provides that no person shall intimidate, threaten, etc. any person in the exercise or enjoyment of any right granted to them by 403 or 404. Section 404B grants the right to owners of four-family dwellings owner-occupied to discriminate. Does this mean that if 404B were to remain in the bill that any civil rights organization picketing such premises for discriminating would be attempting to intimidate any one in the exercise of a right granted by Section 404B?

Similarly, Section 406A and C have to be watched for the same kind of problem. Perhaps my fear is excessive but at this stage it is dangerous to permit this to stand the way it is.

Section 408F1 ought to provide that when the Secretary of HUD determines that a violation has occurred he shall not only file written complaint with the Board but I think that he should notify the owner of the property that he sells, leases or rents it at his peril and that any lease or contract to sell must bear a notation that it is subject to revocation in the event it should be determined that the owner of the property had violated the law.

I regret having the necessity to take such a strong position but I feel that passing this bill as it stands presently would be a dreadful hoax upon people who have been discriminated against in the utilization of housing in this country.

Thank you for the opportunity to make views of mine known to you and to the other members of the committee. I again regret my inability to be present on Tuesday and assure you it is solely the result of conflicting appointments made prior to receipt of the notice.

With warm regards,

Sincerely yours,

Carl

Carl Rachlin
General Counsel

CR/vh
cc: Marvin Kaplan
Emanuel Celler

MEMORANDUM

July 14, 1966

TO: Carl Rachlin

FROM: Marvin Rich

I have a copy of your letter to Joe Rauh. It is an excellent one, and I approve of everything you said. But I have a question about your sending a copy to Congressman Cellar. SEDF is tax exempt. This does not mean that we cannot testify on pending legislation, but it does mean that it should wait until we are requested to do so.

MR/hm

SCHOLARSHIP,
EDUCATION
AND DEFENSE
FUND FOR
RACIAL EQUALITY
inc.
150 NASSAU STREET, NEW YORK, N.Y. 10038
TELEPHONE 964-8210

Rec'd
9/2/66

September 1, 1966

MEMORANDUM

TO: Marvin Rich

FROM: Carl Rachlin

We were visited today by Professor Michael Katz who now teaches at the Law School of the University of North Carolina. Professor Katz originally was from South Africa but has left there and is not only teaching at the University of North Carolina but is very active in civil rights and through the L.S.C.R.R.C. has maintained some kind of empryo legal services group. He is very anxious that this be put on some kind of a permanent basis and wants our help. What he really would like and optimistically is that we would put a man to work doing all the day to day stuff which he said "there's a lot to be done in North Carolina," while he and his students did all the support work to help the day to day man. He mentioned that he had had close relations with Floyd McKissick but that since McKissick had gone things had deteriorated substantially in this regard. I did not discuss our relationship with Moses Burt with him and I don't know whether that would be satisfactory in light of the fact he said things had not been going very well since McKissick himself had left. I know he is going to visit Jack Greenberg today but he said he was very unenthusiastic about working with Greenberg for the reasons that are so often given by many people. I know where to reach him during his stay in New York and I will talk to him further just to see a little more about what the problems there are and why and whether Burt has not given them the kind of help he should be giving.

Contributions are deductible for income tax purposes

■ *president;* Andrew E. Norman ■ *vice presidents;* William S. Ellis, Nannette Sachs ■ *secretary;* Ezra Levin ■ *treasurer;* Shelley Appleton ■ *executive director;* Marvin Rich ■ *leadership development director;* Ronnie M. Moore ■ *legal director;* Carl Rachlin ■ *BOARD OF DIRECTORS;* John P. Allison ■ James Baldwin ■ Katrina McCormick Barnes ■ Canon James P. Breeden ■ Dr. Kenneth B. Clark ■ Robert Curvin ■ Charlotte Devree ■ Robert F. Drinan, S.J. ■ John Henry Faulk ■ Doris Freedman ■ Dr. Edward L. Gibson ■ Norman Hill ■ Clarence B. Jones ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

JOSEPH WILLEN
130 EAST 59 STREET
NEW YORK 22, N.Y.

SEP 13 1966

12 September, 1966

Dear Carl,

Just a hurried note to tell you how much I enjoyed your article on the right to disobey, in the Santa Clara Lawyer.

You asked and, in some parts, answered questions; and raised a great many more. One thing is clear--the problem bristles with difficulties.

I congratulate you on the balanced way in which you dealt with the eternal problem of freedom and law and order and democracy, and the overwhelming power of the State. Society is free only when it is free for cowards. Society is free only when brave men want to keep it free. This, I take it, is our dilemma.

But of all this when we see each other again. I just wanted to say how deeply moved I was by your brilliant analysis of the problem.

With affectionate regards,

Sincerely yours,

J

Carl Rachlin, Esq.,
165 West 46 Street
New York, New York

MEMORANDUM

TO: Marvin Rich 10/10/66

FROM: Carl Rachlin

RE: Ted Harris

Once again I called New Orleans and spoke to Collins about the interest that Ted has and feeling quite sure from the conversation that despite my several brief talks with them about this case, they probably have done little or nothing. Though Nils may probably have done something.

In any event, I have decided to call Ben Smith. This is the court appointed lawyer for the other man involved in the proceedings.

I had a long talk with Ben and told him what Ted Harris had told me. He said he would make sure that the matter was thoroughly checked. I called Ted Harris and left word with his secretary to this affect.

CR/art

MEMO TO: Carl Rachlin

FROM: Marvin Rich

RE: Worker's Defense League

Would you give me a description of the general type of cases handled by the WDL as well as a listing of current cases. We would have to check these against our charter. I would also like to get a copy of the most resent everyday reports, (or similar general descriptions of the work of the WDL).

My calendar is relatively free. Make an appointment at your convenience, but notify me.

Marvin Rich
10-31-66

Nov. 17, 1966

Mr. Carl Rachlin
General Counsel
Scholarship, Education & Defense Fund
for Racial Equality
150 Nassau Street
New York, N.Y. 10038

Dear Carl Rachlin:

Your letter carbon to Paul Miller arrived yesterday and reminded me that I still had not answered your letter to me of several weeks ago. I have delayed writing in hopes of having something definite to tell you, but it appears that that time is still in the future.

Mr. Miller is still drafting the complaint and we have still not done anything, as all action awaits his completing this draft. I am frankly worried about the time factor and have done what prodding I can, since his pattern seems to be to postpone those things which do not have a precise deadline. Any further prodding you can do from that end would be greatly appreciated.

At an earlier stage, contacts were made with Joan Franklin, a young attorney with NAACP under Bob Carter - she was willing to help and is to receive a copy of the draft complaint, to see if she or someone else from national NAACP can join. I also hoped to approach the government employees' union to join in the case, but, again, nothing can really be done until we have something to take to them. The local ACLU chapter's executive committee declined support at an earlier stage and Ralph Temple may or may not bring this up to the full board when we have the complaint in hand.

I am rather discouraged at this point, mainly due to Miller's dilly-dallying. Unknown to Miller, I have made approaches to several other lawyers, but as yet have not found anyone willing to take the case on. All criticism of the Office of Education seems to have stopped and the current reaction to any suggestion that anything be done to put pressure on OE seems to be "why bother?" Howe is now being built up as an "integration hero" and no one wants to challenge this concept, despite the fact that, internally, the OE civil rights program gets worse + worse.

Thanks again for your interest and any further prodding you can do. There is no statutory time limitation on filing suit, but all the government lawyers tell me you're on shaky ground after 2 months — and 2½ months have already passed.

I am a little stronger physically now and hope to start looking for work soon.

Best wishes.

Sincerely,

Anna Holden

cc Marvin Rich

5061 New Hampshire Av. NW, Washington, D.C.

cc:
MR

November 22 1966

Eric Rosenfeld, Esq.
Polier and Tulin
22 East 40th Street
New York, N.Y. 10016

Dear Eric:

We would like you to joing the Lawyers' Committee because we want the advice of all those who accept both as to the future course of the legal program, as well as the functioning and problems of the program. No one on the Committee will be involved in any legal work by virtue of his being a member of the Committee. The Committee function, however, is very important for evaluation of what we do and what we should be doing.

This is not to say that at any time in the future we would not request you to handle a particular case, but our asking you to handle a particular case would have nothing to do with whether or not you are a member of the Committee. Helping to advise about conferences and program and relatedproblems would be the function of the Committee. I hope that you can accept.

Sincerely,

Carl Rachlin
General Counsel

CR:ns

Hank

ROCKLAND COUNTY
COMMISSION ON HUMAN RIGHTS

OFFICE
NE 4-4911

11 NEW HEMPSTEAD ROAD
NEW CITY, NEW YORK 10956

January 7, 1967

Mr. Carl Rachlin
Scholarship Education and Defense
Fund for Racial Equality, Inc.
150 Nassau Street
New York 10038, N.Y.

Dear Mr. Rachlin:

I wish to thank you for your letter of January 3rd. At a recent meeting of the various town and village Human Rights Commissions with the Rockland County Human Rights Commission, a draft of conditions under which the proposed fire training site could be used by fire companies was composed. This draft directed to eliminate discrimination in volunteer fire companies which wish to avail themselves of the fire school has already been presented to the Board of Supervisors.

I would like to take this opportunity to invite you to meet with our County Commission on the evening of January 23rd at 8:30 P.M. at the Rockland County Office Building, New Hempstead Road, New City, New York. Such a meeting would give us the opportunity to discuss the progress which each group has been able to make to date.

With every best wish, I remain

Sincerely in Christ

Very Rev. Msgr. James F. Cox

JFC:mp

cc

January 20, 1967

MEMO TO: Carl Rachlin

FROM: Marvin Rich

I have read the enclosed proposal by Mr. Clark with interest. I believe that the mathamatical procedure which he suggested for achieving integration for the student assignment could be used in achieving teacher assignment based either on race, length of experience or some other factor.

I would suggest that you set up an appointment for us with Mr. Clark. I do not think that we can afford to let our New York City Teacher Assigment suit languish.

John Doe

February 2, 1967

Department of Health, Education and Welfare
Washington, D.C.

Dear Sir:

I represent Mr. Jay Watson, whoresides at 746 North Macomb Street, Tallahassee, Florida. He is a veterans claimant whose number is C 105 74 826 3017-21. On December 20, 1966, he received a letter from Mr. Guy R. Nichols, the adjudication officer in the regional office of the Veterans Administration, Box 147, St. Petersburg, Florida. This letter indicated that arrangements were being made for him for his physical examination. He then was informed to appear at the office of Dr. E.G. Haskell, Jr., 1329 Thomasville Road, Tallahassee, Florida.

In compliance with the instructions from the office in St. Petersburg, he appeared at 9:30A.M. on January 26, 1967. Mr. Watson went to the front entrance which is the public entrance of Dr. Haskell's office. He went inside and sat down. There was a nurse, cacting as a receptionist, who was white. She did not wait upon him or ask what services he desired. Mr. Watson noticed that she went into a back room. Then, a Negro came in and told Mr. Watson the following: "If you want to get service, you must go to the side entrance." (This entrance says "colored")

After Mr. Watson went to the side entrance, the same nurse who would not give him service before, then approached him and asked him what he wanted. Mr. Watson presented the papers from St. Petersburg and said that he thought he was supposed to have an examination. The nurse took the papers but did not make an appointment for him or act as though he was going to have any services rendered to him. She also refused to call him by a courtesy title.

I would appreciate it very much if the Veterans Administration or the proper authorities would take immediate action. The Veterans Administration should terminate cooperation with a doctor if he carries on discriminatory practices such as segregated waiting rooms. I would apprectate the acknowledgment of this letter within 14 days.

Yours truly,

cc: Carl Rachlin, Esquire
Mr. Marvin Rich

SCHOLARSHIP,
EDUCATION AND
DEFENSE
FUND FOR
RACIAL EQUALITY inc.
150 NASSAU STREET
NEW YORK, N.Y. 10038
TELEPHONE 964-8210

February 6, 1967

Hon. Mitchell I. Ginsberg, Commissioner
New York City Department of Welfare
250 Church Street
New York, New York 10007

Dear Commissioner Ginsberg:

I have been thinking at some length about some of the matters we discussed at the joint session of the executives of your department and the City-Wide Coordinating Committee which I represented as legal advisor.

With regard to the minimum standard problem insofar as it relates to grants being given to clients at one time and the problems that occur as a result of grants being given in less than full amounts, you will recall that you expressed some interest in the idea that I offered concerning the fact that the letter which the department gives to a client anyway, announcing the grant to the client, should be used as a letter of credit with one of the established banks in New York City, particularly one that has branches all over the City which would be available to clients. My thought, as you will recall was that the client could take this letter into a bank, and with proper identification, could establish credit for the amount of the letter with the bank, thus it would not be necessary for the client to take any more than small amounts out at a time, thus reducing the chances of loss which occur from theft or other.

I have very informally discussed this with persons active in the banking industry, they are going to give me a formal report very soon as to its feasibility. As soon as I have this report I shall pass it on to you for your consideration.

With regard to the question of a hearing prior to termination which was agreed to in principal by all concerned, it is my thought that the appropriate way to handle that would be through the State machinery for hearings. It seems to me that this is something

■ *president;* Andrew E. Norman ■ *vice presidents;* William S. Ellis, Nannette Sachs ■ *secretary;* Ezra Levin ■ *treasurer;* Shelley Appleton ■ *executive director;* Marvin Rich ■ *leadership development director;* Ronnie M. Moore ■ *legal director;* Carl Rachlin ■ *BOARD OF DIRECTORS;* Nils R. Douglas, *chairman* ■ John P. Allison ■ Robert Ausnit ■ James Baldwin ■ Katrina McCormick Barnes ■ Canon James P. Breeden ■ Dr. Kenneth B. Clark ■ Robert Curvin ■ Charlotte Devree ■ Robert F. Drinan, S. J. ■ John Henry Faulk ■ Michael O. Finkelstein ■ Doris Freedman ■ Dr. Edward L. Gibson ■ James T. Harris ■ Claude Heckscher ■ Norman Hill ■ Clarence B. Jones ■ Dr. Archie Lacey ■ Joann List Levinson ■ Henry Morgenthau, III ■ Dr. William Stuart Nelson ■ Richard J. Schwartz ■ Elaine Slater ■ Norman Thomas ■ Rowland Watts ■ Pearl L. Willen

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that could be worked out within the present state of the law and regulations so as to avoid unnecessary duplication and expense to the city, or having the city set up some kind of hearing department. Obviously and procedure might be reasonable but have to involve the acceptance by the state as well as the city to do this but I believe it could be worked out. For example, in such circumstances where the department believes it has some evidence which if true, might warrant under the statutes or regulations a person being terminated, a client should be so advised and given a reasonable time to demand a hearing utilizing the machinery of the state for such purpose. If the client does not respond or request a hearing, then presumably unless there was some unusal factor involved, the order would go into effect. If the client demanded a hearing, then with the cooperation of the state, a hearing could be held in a reasonably short order. We all know the amount of time involved in hearings at the present time is too long anyway for all concerned, and there is no real reason why the process could not be speeded up, but in any event, in these kinds of situations they could be granted priority and a fast hearing. It is very common for courts and administrative agencies to have a special calendar of cases requiring immediate attention.

May I suggest accordingly, a small meeting set up with you or one of your designees, a representative of the state, and such public persons as Ed Sparer and I, for the purpose of exploring the possibility of establishing appropriate procedure to accomplish the result we all wish.

Sincerely,

Carl Rachlin
General Counsel

CR:n

CORE
RACIAL EQUALITY

working to create a society in which all men are equal

200 WEST 135th STREET
NEW YORK, N.Y. 10030
281-9650

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Goodwin Watson
Joseph Willen
Jerry Wurf
Charles S. Zimmerman

February 8, 1967

Carl Rachlin, Esq.
Scholarship, Education and Defense
  Fund for Racial Equality
150 Nassau Street
New York, New York 10038

Dear Carl:

We received your letter of November 30, 1966, in which you resigned as General Counsel of CORE. We regret that we have not replied earlier but many considerations required we seek legal and other advice prior to answering your letter.

As you know, Marvin Rich, while in his capacity as Community Relations Director of CORE, helped to create and establish SEDF to receive tax deductible contributions for the purpose of supporting CORE's tax exempt programs. Now, he has become Director of SEDF, and SEDF certainly has not carried out the purpose for which SEDF was created.

For example, under the agreement between CORE and SEDF, as reflected from the minutes of the NAC, CORE retained the right to hire and dismiss Legal Counsel, but SEDF would pay for the Legal Counsel of CORE as well as an Associate Legal Counsel and a legal secretary.

Thus, before we can accept your resignation, we must have firm assurances that SEDF will honor its agreement to defray the costs of CORE's legal defense program.

If we do not receive such firm assurances, we must be concerned with the ethics of a situation in which you resign as General Counsel of CORE and accept a position with SEDF while litigation which you commenced and other litigation for which you are responsible as General Counsel of CORE are now pending in courts throughout the country.

Assuming we can resolve these issues, CORE has no records of the cases which you have handled or are handling. Before we can accept your resignation, we need full and complete records of these cases. Also, all files regarding CORE which you now possess to be returned to our office.

There are also other issues outstanding between CORE and SEDF. One is to what extent funds received by SEDF actually belong to CORE. Another is SEDF's violation of its agreement with CORE by sending out a general mailing. Another issue is SEDF's apparent intention to carry on CORE's Art Show. Another issue is SEDF's violation of its agreement with CORE to pay the rent for CORE at 38 Park Row.

It is impossible to settle any single issue involving CORE and SEDF, as these matters are interwoven. A solution would require complete agreement and settlement in every area of disagreement between the two organizations.

I think it is necessary for us immediately to discuss these matters. It is also imperative that we be honest with one another and be as frank as possible in our dealings. This is most important if we are serious in our attempts to bring power to black people in this country, who so desperately need it and who have been so long deprived.

Sincerely,

Floyd B. McKissick
National Director

FBMcK:ilh
CC: William Josephson, Esq. ✓
Strasser, Spiegelberg, Fried & Frank
120 Broadway
New York, New York

Friedman & Tandler
112-10 Farmers Boulevard
St. Albans, New York 11412

George Schiffer, Esq.
157 West 57th Street
New York, New York 10019

March 22, 1967

Mr. W. Taylor
Staff Director
US Commission for Civil Rights
Washington, D.C.

Dear Mr. Taylor:

I thought you might be interested to know that Carl Rachlin used the Commission's report on Racial Isolation in Public Schools in his appearance before the Fifth Circuit Court of Appeals recently. He argued that only with the end of racial isolation in the public schools could true equality be achieved. The judges questioned him closely and seemed to be impressed.

I thought you would like to know of this use of your important study.

Cordially,

Marvin Rich
Executive Director

MR/lp
cc. Mr. Rachlin
Mr. Farber

MEMORANDUM

To: Carl Rachlin March 30, 1967

From: Marvin Rich

Subject: Registration in South Carolina

Nooker writes that he doesn't know what the South Carolina General Assembly will do with regard to the existing registration procedures.

It seems to me quite likely that permanent registration will be knocked off the books in South Carolina. Do we have any plans to combat this? Is this an opportunity to use one of the lawyers who may impress the foundations?

LAW OFFICES
JACOBS & SCHLOSBERG
SUITE 440 ITT BUILDING
1707 L STREET, N. W.
WASHINGTON, D. C. 20036
296-2666

HARVEY A. JACOBS
HUBERT M. SCHLOSBERG
STEPHEN H. GALT

8730 GEORGIA AVENUE
SILVER SPRING, MARYLAND 20910
SUITE 600 585-6856

May 17, 1967

Ralph J. Temple, Esquire
Suite 501
1424 16th Street, N.W.
Washington, D.C.

Re: United States of America vs. Michael Norman
J&S File No. 4597

Dear Ralph:

In going over the costs incurred on the second trial of Michael Norman, I have ascertained that the actual costs expended are $53.55. This includes the costs of all subpoenas, transportation, telephone calls, etc.

It would be appreciated if you would submit this bill to CORE for payment.

Best regards,

JACOBS & SCHLOSBERG

Hank

Hubert M. Schlosberg

HMS/hbb

Mount Vernon Community Action Group, Inc.
249 SOUTH SEVENTH AVENUE
MOUNT VERNON, N. Y. 10550
TELEPHONE: 664-8680-1-2

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FATHER ROBERT WILLING
MR. GARNET YOUNG

May 24, 1967

Mr. Carl Rachlin
Scholarship, Education and Defense Fund
For Racial Equality
150 Nassau St.
New York, N.Y.

Dear Carl:

As Isabel may have told you, I am leaving C.A.G. I want to thank you so much for the invaluable work you have done for us and for the welfare recipients who have come here for help. Because of your backing, we have been able to get substantial increases for almost all welfare clients who have come to our office.

I spoke to our director about some financial help, but unfortunately, there is no money available. Here, however, is a personal check, not much I know, but it expresses my appreciation of your services.

Thanks again.

Sincerely,

Florence Rush
Florence Rush

FR:pp

enc.

$25.00

Local 6/13/67

MEMORANDUM FROM
CARL RACHLIN

TO: MARV

I would ask that you reconsider what to do with the students' room

1. There will be 5-6 students, there is not room for them there

2. Chairs are needed, boxes have to be put away

3. We have to rent an air-conditioner for them. That room, in yesterday's heat, was unbearable. Thus not only

MEMORANDUM FROM
CARL RACHLIN

TO: Marv cont'd

can~~not~~ they not work, but they, quite naturally came into my room which is crowded enough with Steve and me, but impossible under the new conditions

4. I am aware of our monetary problems, but what I ask is small, and if not undertaken makes working conditions impossible.

330 East 46th Street
New York, New York 10017

June 22, 1967

Dear Mr. Rachlin:

I am returning this check a second time because I cannot accept it for the work done.

I agreed with you to do a job apart from my regular work with SEDF. It was not our understanding that I was doing overtime. If this were the case the charge would have been at the rate of $6 per hour for time spent on the brief.

You are all quite aware of the fact that I need that money. I am the mother of two children and I have no other means of support but through my earnings. It is very surprising that ~~our~~ an organization ~~that~~ which is supposed to be helping people in so many ways is here trying to deprive me of money which I have earned, earned through a contract with you to perform a specific job for which I was to be paid.

It is unfortunate that I could not return to the SEDF office on Friday afternoon, June 2nd but I am sure that my absence is justified by the fact that at that time I had no other job to go to when Mr. Rich had already found someone to take over the one which I had with SEDF. In view of my responsibilities I had to find something else to do and I just happened to have been delayed while doing just that.

I must say that in view of the fact that I was honest with Mr. Rich and told him that I was planning to leave SEDF; also, I had confided a lot in him, it was a pretty dirty trick to have found a replacement and be silent about it. Knowing my position as well as he did, it would have been the HUMAN and COURTEOUS thing to have told me at least two weeks before rather than to have said that he was not looking.

I did not want to bring this matter up but since Mr. Rich seems to be trying to be doubly vindictive, I had to.

I would hate to have to seek other help in order to cllect the $25.00 for the brief, but if I am pushed to it, I shall have to do so.

This letter is being sent to you, Mr. Rachlin, because you called me into your room and asked me to do the job and also told me that you would guarantee payment for it.

Your position in the matter is an unfortunate one I know ~~[illegible]~~

Sincerely

F. Pilgrim

P.S. I hope you will excuse the scratches, I am in an awful rush.

F.P.

LAW OFFICES
RUBEN, KARR & BARRETT
625 WASHINGTON BUILDING
FIFTEENTH STREET AND NEW YORK AVENUE, N. W.
WASHINGTON, D. C. 20005

L. LEONARD RUBEN
JOHN W. KARR
EDWARD P. BARRETT
GLENN R. GRAVES
THOMAS GLASGOW SMITH
LYNN D. ALLAN

REPUBLIC 7-3544

June 26, 1967

Ralph J. Temple, Esquire
NCACLU
1424 16th Street, N.W.
Washington, D.C.

Dear Ralph:

Enclosed is a copy of our Opposition to the Motion for Summary Judgment, and the originals of the bills received for copies of the Caesar Day and Ellen Norman depositions.

Sincerely,

John W. Karr

JWK/ev
Enclosures as stated.

M R.

Columbia University in the City of New York | *New York, N.Y. 10027*

SCHOOL OF LAW

435 West 116th Street

Marc I. Stern
c/o Professor M.G. Paulsen
Box 26
Columbia Law School

July 17, 1967

Mr. Carl Rachlin
SEDF
150 Nassau Street
New York, N.Y. 10038

Dear Mr. Rachlin:

Thank you very much for taking time out of your busy schedule to talk to me on Friday. I was extremely impressed with the job your organization is doing.

Thank you once more.

Sincerely,

Marc I Stern

Marc I. Stern

MIS:k

TELEPHONE
483-3830

RALPH J. TEMPLE
ATTORNEY AT LAW
SUITE 501
1424 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

July 26, 1967

please pay
Legal Expenses – Nat'l

Mr. Marvin Rich
Executive Director
Scholarship, Defense and Education
Fund for Racial Equality
150 Nassau Street
New York, New York

Re: Michael Norman (Football alley case)

Dear Marvin:

There have been some additional events and additional expenses in the Michael Norman case.

Mike Norman was reprosecuted on the charge of assaulting a police officer. The prosecution began on May 4, 1967, and Mike was acquitted on May 10th. Hank Schlosberg, the volunteer attorney defending Mike Norman has submitted the enclosed bill for $53.55 for subpoenaes, transportation, and other incidental expenses.

In the civil suit against the police, John Karr, the attorney handling it, has incurred and asked reimbursement for the following expenses:

Deposition of Ellen Norman - 1/16/67 - $ 25.00
Deposition of Michael Norman-1/23/67 - $ 25.00
Deposition of Ellen Norman - 2/2,9/67 - $ 25.07
Deposition of Cesar Day - 4/6/67 - $ 57.15
TOTAL - $132.22

I have enclosed the bills for the above expenses, and I would appreciate it if the SDEF could send me a check for $53.55 for Hank Schlosberg, and a check for $132.22 for John Karr.

The civil suit is grinding along, and I do not know when it will come to trial. However, in light of the second prosecution of Michael Norman, which resulted in an acquittal, we are hopeful that the civil suit will be successful.

The reprosecution of Mike Norman came about in this way. If you remember, Mike Norman was first tried on the charge of assaulting a police officer in March, 1966, and that trial resulted in a hung jury, voting 10-2 for acquittal. In the ensuing months, it was made pretty clear to Hank Schlosberg that the U.S. Attorney's office did not intend to reprosecute the case. However, instead of just dropping it, they strung it along. They took it off the calendar and "stored" it. Then, on September 7, 1966, we filed the civil suit on behalf of Mike Norman, Cesar Day, and Ellen Norman against 17 police officers involved in the football alley incident. We knew at the time that we filed that civil suit that we ran the risk of provoking the U.S. Attorney into reprosecuting Mike Norman. However, inasmuch as the statute of limitations on this kind of civil suit is one-year, and the statute of limitations was about to expire, we had no choice but to file the civil suit or to give it up.

In less than two-months after the civil suit was filed, the U.S. Attorney's office took steps to reactivate the prosecution of Mike Norman. Again, Hank Schlosberg tried for a period of months to get the U.S. Attorney's office to drop the prosecution. The Assistant U.S. Attorney who had prosecuted the case the first time, a man named William Collins, joined Hank Schlosberg in urging the U.S. Attorney, David Bress, to drop the prosecution. On April 5, 1967, Schlosberg met with Mr. Bress and Mr. Bress's chief assistant, Mr. Hantman, as well as Mr. Collins. Both Hantman and Collins urged Mr. Bress to drop the prosecution, telling him that they thought it was almost impossible to get a conviction in the case. Bress indicated that he wanted to know whether it was okay with the Police Department for them to drop the prosecution. On April 14, 1967, Mr. Hantman informed Schlosberg that he was trying to get the Police Department to inform Bress that it was alright for him to drop the prosecution. Hantman and Collins both told Schlosberg that they were pretty sure they would succeed in getting the prosecution dropped.

Then, on May 3rd, quite suddenly, Schlosberg was notified that the case was going to trial that day. He rushed down to the courthouse to the chambers of Judge Oliver Gasch, a Republican and a former U.S. Attorney for the District of Columbia. Schlosberg explained that he was not prepared to go to trial. Judge Gasch said that there was no excuse, inasmuch as the case had been on the ready calendar. Mr. Collins told Judge Gasch that it was not Schlosberg's fault that he was not prepared, that he, Collins, had advised Mr. Bress that the prosecution was, in Collin's opinion, unmeritorious, and that the charges should be dropped, and that Mr. Schlosberg had been led to believe that the charges probably would be dropped. This angered Judge Gasch, who then took the attorneys into open court, and sent for Mr. Bress. Judge Gasch then asked Mr. Collins to repeat his statements in front of Mr. Bress. Collins repeated the statements. Bress simply stated that in his judgement, as the U.S. Attorney, the case was meritorious and should be prosecuted. Judge Gasch ordered the trial to begin the next day.

Needless to say, there was then a good deal of scurrying and running around. We were not caught totally unprepared, because in the intervening months, we had carefully researched and prepared a motion to dismiss the prosecution on the ground that it was unconstitutional in that it was being brought to retaliate against the defendant for exercising his constitutional right to sue the police. (I have enclosed a copy of our motion and supporting memorandum on this point, and I think that you and Carl will find it interesting reading). However, inasmuch as the first trial had produced a 700-plus page transcript, and there were many witnesses, we spent the next few days doing quite a bit of running around.

The trial lasted four days, and resulted in an acquittal. Even at the end of the prosecution's case, it was evident that the Judge, although a conservative, was very sympathetic with us. He denied the motion for a directed verdict, but in doing so, he stated that he was more inclined to agree with Mr. Collins' view that this was an unmeritorious prosecution than with Mr. Bress's view. After the jury brought in its verdict, Judge Gasch called Mike Norman to the bench, told him that he was a splendid young man, that he had a brillant future, and said that he hoped that the experience did not embitter him. Judge Gasch also made statements from the bench criticizing Bress for reprosecuting the case. (See enclosed newspaper clippings, including the editorial from the Washington Post.)

It was tremendously gratifying that the truth came through so clearly that a conservative judge was moved to criticize the prosecutor for his unjustifiable action in reprosecuting the case to protect the police officers from civil liability. Hank Schlosberg is a great trial lawyer and it was his efforts which account for the result.

In view of the fact that Schlosberg and Karr incurred these bills some time ago, I would appreciate it if you would send me checks for them as soon as possible.

Many thanks.

Sincerely,

Ralph

Ralph J. Temple

cc: Carl Rachlin, Esq.
Hubert Schlosberg, Esq.
John Karr, Esq.

TO: Marvin Rich
DATE: 7/26/67
FROM: Carl Rachlin

For some time, particularly since the Gilligan situation in New York 3 years ago, I have been concerned about developing a program with the police that was not merely a lecture on "love thy neighbor". At the time of Gilligan, who killed young young Powell, it was clear that the Police had no idea of the people in the Ghetto, their lives, their expectations, the manner in which they lived. All that existed in most police minds was the thought that the ghetto was different, the people lived differently, often only mothers and no fathers, and that by and large, alien and sprawling as it was, it was something to be feared, ~~less~~ something less than completely human. Fear existed in the minds of many police, and violence and brutality often were determined to be the only means to handle these "other" people.

On the other hand The minds of ghetto residents, of course, have been partly conditioned to think of police as the face of the enemy, who at once was violent and remote, yet who grafted and blinked at obvious evil, narcotics, prostitution and the rest. The friendly policeman, helping children across the street was the image in white areas, not the ghetto

Very little can be gained in questioning just how extensive these points of view, these attitudes expressed are, or to spend much time in considering their justification or illogicality. That this exists substantially is sufficient.

While to some extent ~~this~~ there is recognition of these differences in attitudes, what has basically been instituted so far does little to correct them to have the respective people representing each attitude, meet, talk, confront, even express anger at, each other in the hope they will see each other as people living in the area and having problems each having problems each/

should understand.

Up to this time most programs involve meetings, lectures on the constitution or other important subjects in the hopes that this will change attitudes. Respect cannot be built, however, in any meaningful manner by talks, mass meetings and information on the constitution. Much more is required. Men and woman must see each other behind the badge and under the skin.

Part of the problem, of course, stems from the simple facts that we, the communities have not, in this generation at least, defined the role of the policeman - we give him a club and a gun and the badge of office, ~~no~~ some technical knowledge on how to use them, some information on a few crimes, and a few lectures on the rights of citizens, and expect him to act so that we won't be bothered by the problems that exist. Is the cop just this, the man with a club; is he also a social worker ? Should he partly be a sociologist ? What is his role in the ghetto ? This we have never fully explored.

By using the experience SEDFRE has gained these past years, in working with community groups, by knowing the minds of many of the ghetto and understanding the techniques of people talking to each other, and not shouting over a wall of epithets, or engaging in clever debate to prove superiority, we would hope that small groups of 3-5 normal community people and a like number of police might, if given the time and opportunity get to know and understand each other. With that understanding would come some appreciation of the difficulties of each other's attitudes, and an evaluation of the accuracy of these attitudes might be made.

It was with this in mind that it was decided to approach, in a completely confidential manner, ~~without any others being advised~~ ~~and~~ a police chief to discuss the possibility of instituting a possibility of instituting/

program to bring about this result. After some consideration it was decided to approach Police Commissioner Barry of Suffolk County, New York, a populous area of many small cities, villages and farming areas.

The appointment was made on July 14th, 1967. Preliminarily, after some general conversation Commissioner Barry was happy to meet. By a remarkable coincidence between the date [one week] the appointment was made and the time of the actual meeting the problems in Newark became front page news. Detroit came immediately after the meeting.

At the meeting held July 21, 1967, were present Hank Smith and myself together with Richard Klein, one of our interns. After introducing ourselves to the Commissioner and describing SEDFRE, Commissioner Barry, who immediately showed himself as a man willing to hear, invited in his Community Relations Director, Hank Johnson.

Carefully ~~net~~ not trying to oversell the possibilities I discussed this approach involving the effort to have community people and police, reach each other. I told him of our experiences. Hank Smith told of the tapes we have of some prior sessions (non-police) which elicited tremendous interest, After some questioning the Commissioner indicated his willingness to undertake this experimental program. We, all of us, hoped some measurable degree of understanding would result from this program so that it might be evaluated and put to further use. All understand the experimental nature of the effort.

It was left with Hank Smith and Hank Johnson to work out preliminary details and then we would have another meeting to work

out

another meeting to work/

out the arrangements to begin the effort.

Hank Smith and Hank Johnson were to meet on July 27, 1967. The present intention is to select approximately 4 community people and a like number of police. They will meet for a full day without an agenda, but presumably there will be present someone trained to help get the conversation going. Hopefully at some point by the middle of the day meaningful conversation will begin, and continue. Of course the effort will be made to keep it going as long as possible. It is hoped that the session can be held not long after Labor Day.

What can come out of this is speculative. But we have reason to believe some measure of understanding can be reached. To some extent the role of the community and the police will be explored. How they see each other, what they expect from each other must be examined. All these are subject to evaluation. Should attitudes change them we will know we are on the right road.

, $$$$$

Carl Rachlin

duce riots. We are trying to provide alternatives to violence."

Says Rep. James Scheuer (D-N.Y.): "We need a new division in the Justice Dept. to study better community relations between the police and the people; tranquilizing pellets which can be used rather than bullets to calm violent mobs. The FBI teaches target practice, not community relations."

Note—J. Edgar Hoover is opposed to such a division, but a study just prepared by the Justice Dept. supports it.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
WELFARE ADMINISTRATION
WASHINGTON, D.C. 20201

OFFICE OF THE COMMISSIONER

M. R.

AUG 14 1967

Mr. Carl Rachlin, Counsel
Poverty Rights Action Center
New York, New York

Dear Mr. Rachlin:

I very much appreciated your participation in our July 11, 1967, fair hearings meeting and the contribution that you made in our deliberations with respect to the effectiveness of existing Federal and State policies and practices. The discussion which took place was very valuable in crystallizing the issues.

Enclosed is a summary statement of the meeting. It will serve as a springboard for moving forward to deal with the problems that were discussed and we plan to act on these matters within the very near future.

Thank you once again for your cooperation.

Sincerely yours,

Joseph H. Meyers

Joseph H. Meyers
Acting Commissioner

Enclosure

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Welfare Administration

August 10, 1967

Welfare Administration
Meeting on Fair Hearings in Public Assistance
July 11, 1967
Washington, D. C.
Summary

The Acting Commissioner of Welfare, Joseph H. Meyers, opened the meeting with greetings followed by a statement explaining the purpose. He stated that it was convened for the purpose of meeting with a small number of knowledgeable and interested persons to acquire additional current information on the extent to which fair hearings in public assistance are operating effectively and fairly, and to have advice on ways for possible improvement of Federal and State standards, and the way they are administered.

The Commissioner expressed the view that the Federal standards contain the basic elements to provide for due process in fair hearings, but there are indications that existing practices deviate from Federal policies. In addition to whatever matters the group wished to talk about, he specifically requested discussion on the following three points:

1. Continuation of financial assistance pending the fair hearing decision.

2. The kinds of information the Federal agency should obtain regarding fair hearings.

3. The right of representation for claimants at fair hearings.

A free exchange of views was invited as the meeting had been structured to provide for open and frank discussion. This report does not attempt to give a running account of the proceedings. Instead, it summarizes the topics which were discussed. It was brought out in the discussion that the extent of possible changes in the Federal requirements involved questions of both policy and law which would need to be explored further. The morning session dealt primarily with the Federal standards and other substantive matters; there was more emphasis on practice and administration in the afternoon session.

1. The group was interested preeminently in the question of continuation of assistance pending the decision after a fair hearing. Several of the conferees felt that a Federal

requirement that States must afford the fair hearing before termination of assistance is a crucial necessity.[1] Many arguments were advanced for this proposition.

a. Public assistance is a right, and due process requires that benefits of this type not be terminated prior to the hearing decision. Relevant court decisions include cases on licensing and business regulation and some recent school cases holding that a student cannot be suspended prior to hearing. Patterns are mixed, but the trend of decisions appears to be toward prior hearings, although as yet there are no welfare cases in this area. Reference was made to Veterans Administration service-connected disability benefits which may be continued until the hearing decision is made. The food stamp program was mentioned, where a prior hearing is available for a retailer who is being dropped, but not for a recipient.

b. If a recipient has to do without assistance pending a hearing, he really does not have an opportunity for a fair hearing. His living situation is likely to be desperate, his ability to prepared his appeal nil, and his discouragement overwhelming. To make payments to him retroactively if he wins means little, and can never make him whole for the deprivation he has suffered.

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[1] Under existing Federal policies, assistance must continue until the State or local agency makes a finding of ineligibility. If the agency has information indicating that a recipient may be ineligible, it must take prompt action (within 30 days) to redetermine eligibility. After a determination of ineligibility, the agency must terminate assistance within 30 days. Payments to carry out hearing decisions, or to take corrective action after a request for hearing, are subject to Federal participation for the period back through the second month prior to the month in which the hearing is requested. Corrective actions on the agency's own initiative may also cover periods back through the second prior month. Such back payments are not Federally required, and except as allowed under the foregoing provisions, State payments of assistance after a determination of ineligibility are not subject to Federal participation.

Under the Federally-administered program of old-age, survivors and disability insurance, benefits are terminated before hearing, but are paid retroactively if the decision is in favor of the claimant.

c. A requirement of continuation of assistance pending hearing will make it in the State's interest to hold hearings and make decisions promptly. At the present time, the State has no incentive to proceed; the burden of waiting is on the recipient. The Federal Government has no sanction it can realistically impose. Continuation of assistance would shift the burden to the State, where it belongs. In any balancing of equities, the State can much better afford to pay assistance pending hearing (particularly if hearings are held promptly), even for cases where the hearing decision confirms the finding of ineligibility, than can the recipients, who may turn out to have been eligible all along, afford to go without assistance.

d. In many cases where there are issues of fact, the facts cannot properly be determined without a hearing. Particularly where States terminate assistance without contacting the recipient to find out if he has relevant information to show continued eligibility, the full story may not be known. Issues such as whether an individual is permanently and totally disabled are complex and may often require a hearing for proper decision on the facts.

The proposals for continuation of assistance were directed only to cases where a fair hearing is requested. The discussion focused primarily on termination of assistance, with little reference to applications.

Question was raised whether continuation of assistance might lead to frivolous appeals, or might bog down administration, particularl if hearings were used for mass attack on agency policies or inadequa payments. There were comments that usually if the basis for termination were clear and were discussed with the recipient, he would not appeal, and that if hearings were held promptly the amount at risk for the State would be small and would be a legitimat charge to the program. However, there was no direct discussion of whether, if a State otherwise were required or chose to continue assistance pending hearing, it might decline to do so in certain types of cases. The suggestion was made that the Federal and State agencies need to reexamine the entire process for termination of assistance with a view to better fact-finding, consultation with the client, and expedited hearings. There were several comments on the need to tighten up the elapsed time in the hearing process.

2. Applications. It was suggested that the handling of applications could be worked out, too, perhaps through exploration of such methods as use of declarations, presumptive eligibility with review afterwards, emergency aid on the basis of need only and with an immediate appeal on this factor if disputed, and later determination (and hearing if necessary) on other factors of eligibility. However, this subject was not pursued.

3. Notice of right to hearing. A conferee stated, on the basis of the experience of a neighborhood legal services program, that recipients are not effectively and systematically advised about their rights to appeal, that a written notice is not enough. A State welfare administrator referred to a study and other evidence as a basis for his belief that public assistance clients do know their rights. In one large State, the letter notifying the client of termination of assistance tells him of the right to hearing by referring to a statement in a pamphlet furnished to him when he applied for assistance.

   The notice of termination was also criticized as not giving sufficient information about the reason for termination. There was mention of agency reluctance to make appeal forms readily available to clients and their representatives, and of the way that appeal forms, which are not necessary, are used as a hurdle for clients.

4. Availability of information to recipient. There was considerable criticism that it was often difficult or impossible to obtain information relevant to a client's appeal. In some places, it was reported that it is a struggle to be able to see the agency's rules. Sometimes, evidence in the hands of the agency is not made available to the client in advance of the hearing. It was proposed that, on appeal, the entire case record should be available to the client or his representative. The State should not be able to reveal and use (sometimes in summary form) only the information unfavorable to the recipient. The point was raised that the case records are confidential, that caseworkers would be reluctant to set down their opinions, and others would hesitate to give full information, that the relationship of caseworker and client would be changed, if the client and the courts could see the entire case record. The rejoinder was made that confidentiality is to protect the client, not the agency.

5. Challenge to agency policy. There was brief discussion of the requirement that the client can challenge agency policy as well as practice. To make this meaningful, it was suggested that the agency should have a mechanism for objective review of the challenged policy, and that this could be accomplished within the single State agency concept.

6. Hearing decisions as precedents. Many comments were directed toward the need for information on the results of hearing, and the mandatory use of hearing decisions as precedents. It was reported that some agencies avoid challenge to policies by allowing claims for clients who appeal, while applying the policies and denying claims of others. When cases go to hearing, and a policy issue is decided in favor of the client, some agencies do not apply the decision to other cases, even though the decision is issued in the name of the agency. Few States make the results of hearings available for reference. In one State, hearing decisions adverse to the client are based on citation of prior decisions, which the agency will not disclose because of confidentiality.

7. Record of hearing. There was mention of the desirability of a transcript of the hearing. The proceedings can be taken down in various ways, and in most cases need not be transcribed (which is the most expensive part). However, they will be available for court appeal, or review by the State agency, or for reference by the hearing officer.

8. Representation of clients at hearings. Several different views were expressed about representation. One view was that the client should have legal counsel in all cases, at State expense if not otherwise available. The more general opinion perhaps was that representation is necessary, but non-lawyers may be able to do the job in many cases. A study of all California hearings for a year showed that the percentage of decisions in the client's favor doubled if he was represented (which was not usually the case), and there seemed to be little difference whether the representative was a lawyer or not. Conferees told of the use of lay advocates from the client's neighborhoods, who had received training for this purpose. It was also suggested that legal consultation should be available at an early stage in every case to uncover legal issues, and provide for representation by a lawyer, if needed. Another view was that representation is not needed in every case, that reliance could be placed on a hearing officer with training, experience and independence, who would have responsibility for seeing that a proper record is developed, in a nonadversary proceeding. Other suggestions were possible use of arbitration, and the ombudsman. In reply, several conferees stressed the adversary nature of the hearing, and the importance of an advocate for the client.

9. Qualifications of the hearing officer. This topic elicited relatively little interest, which seemed to indicate that there was no problem. It is desirable that the hearing officer be a lawyer, particularly as more clients are represented by lawyers.

However, non-lawyers can do the job with proper training, including knowledge about what's a fact, what's probative evidence, and quantum of proof.

10. Limitations on What Hearings Can Accomplish. A recurring theme was that many of the complaints of clients and their representatives cannot be remedied by improvements in the hearing process. Often, the issues in dispute are matters of law and program policy, resulting perhaps from inadequate funding of the program. There was general agreement that basic changes in the program, along the lines suggested in the recent report of the Advisory Council on Public Welfare, would do much to obviate the problems reflected in client dissatisfaction with actions of the welfare agency. It was recognized that, in a Federal-State program, the authority of the Federal agency to require program changes is not unlimited, and variations in program from State to State are inevitable. The point was made that the Federal Government should do what it can. Moreover, the hearing process can influence the States to follow the Federal and State requirements, and in discretionary areas to exercise their discretion in behalf of the clients. In this connection, the hearing system can be used as a means of informing clients about their rights and entitlements, and of making known to others the inadequacies of the program.

11. Importance of attitudes. Another recurring theme was the importance of attitudes in the kinds of cases that go to hearing. The program must have the support of the public and the Legislature. Put another way, the welfare program has political problems. Funds are limited. In this atmosphere, the audit process is an overhanging threat to the local administrator, who is motivated to be extra-technical and careful in allowing claims. Instances were alleged where claims were delayed to save money, or where checks were held to force clients to contact caseworkers. It was stated that some workers and administrators have negative attitudes towards hearings and representation of clients. Some feel challenged by hearings and try to dissuade the clients from requesting them, and the agency which helps the client prove eligibility on initial application is often all too ready to take a completely adversary stance in connection with termination of assistance and appeal. The legal services program in one city reported that, in cases where assistance was terminated, it was able to obtain resumption of assistance in 10 percent of the cases which were appealed, but in 80 percent of the cases which did not appeal but reapplied. In the California study, 26 percent of the appeals resulted in reversals, and the figure rose to 52 percent for clients who were represented; it was reported that the representative was able to help the client give the

explanation or produce the evidence which established his eligibility. The statement was made that clients are afraid of the welfare department, and assume they will not be treated fairly. There must be procedures to make the welfare agency staff more careful in their treatment of the clients; to force them to communicate, to explain; and to open the program to the clients, to dispel its aura of secrecy.

12. Federal Oversight of Hearing Practices. Instances were cited where State plan provisions on fair hearings do not meet Federal requirements or where the State's practice is inconsistent with its plan. There were also reports of wide variations from State to State in the relative number of hearings. Several of the conferees urged that the Federal agency should (a) gather statistical evidence and other information on fair hearing practices so that it will be readily available to interested persons and (b) review State policies and practice to assure that they conform to Federal requirements. It was also suggested that the Federal agency recommend good practices, and publicize them; also, follow-up on complaints and make public exposure of violations.

As to method of review, it was suggested that the quality control system could be used. The point was made that the hearing process itself is a good recording device as to how the system is operating from the point of view of the client as well as the agency--what items are in dispute and how are they being resolved--and it should be monitored by the Federal agency.

There was some discussion of the Federal sanction if a State does not meet Federal requirements. The difficulty in utilizing the conformity hearing and consequent withdrawal of all Federal funds from the program was clearly recognized. There must be a usable enforcement device or there will be disrespect for the law. One reply was that negotiation can be fruitful but first the Federal agency needs to become informed as to what's happening. Also, the very existence of a Federal rule is useful, since States are embarrassed if challenged even by local groups for failure to comply. In general, affirmative Federal action would be salutary.

A positive Federal posture was also stated to be important in encouraging the States to try new procedures and arrangements. An experimental project was suggested for a follow-up service for terminations of assistance. Law or social work students might go to the home, explain the reason for termination, elicit any information the client might have, explain the hearing procedure to him, and arrange for counsel if he appeals. The effect on the number of hearings requested and on the rate of reversals would be instructive.

Commissioner Meyers expressed his appreciation to the participants for their contributions and hard work at this meeting. He advised that they would receive a report of this meeting and that the meeting would serve as a springboard for moving forward.

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Mr. Carl Rachlin, Counsel
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Dear Mr. Rachlin:

I very much appreciated your participation in our July 11, 1967, fair hearings meeting and the contribution that you made in our deliberations with respect to the effectiveness of existing Federal and State policies and practices. The discussion which took place was very valuable in crystallizing the issues.

Enclosed is a summary statement of the meeting. It will serve as a springboard for moving forward to deal with the problems that were discussed and we plan to act on these matters within the very near future.

Thank you once again for your cooperation.

Sincerely yours,

Joseph H. Meyers
Acting Commissioner

Enclosure

August 18, 1967

Honorable Nelson A. Rockefeller
Governor
State of New York
Albany, New York

Dear Governor Rockefeller:

Today, I read with much interest in the Amsterdam News, of the new group named by you, to review New York's human rights codes to cope with today's needs. I salute you for your many efforts toward the realization of human dignity.

I believe your choice of committee is good, however, I would like to suggest the addition of a man whom I believe could lend so much in a review of present laws. This man is Carl Rachlin, a lawyer of note, who has for many many years worked untiringly in the fight for justice in our courts.

Mr. Rachlin is a member of the American Bar Association, President of the Lawyers Constitutional Defense Committee, member of the board of the New York Civil Liberties Union for twenty years, and other affiliations too numerous to mention. He is the author of many articles on civil liberties and civil rights issues . He is presently the Legal Director of Scholarship, Education and Defense Fund for Racial Equality. He lectures at Cornell's School of Industrial Relations and wrote a book entitled LABOR LAW . His address is 150 Nassau Street, New York City, 10038.

I make this suggestion respectfully, because I feel that "we the people" must share our thoughts with our elected officials.

Be assured of my best wishes for your continued success and give my regards to Jackie Robinson.

Very truly yours,

Gwen Nichols

(Mrs.) Gwen Nichols

309 Lafayette Avenue
Brooklyn, N.Y. 11238

New Gr
To Review
Rights Laws

ALBANY—Gov. Rockefeller this Thursday announced the appointment of a special committee to review New York's human rights codes with an eye to updating them to cope with today's needs.

The organization of the committee is a follow-through on his announcement last June that he would name such a group to review present laws to determine their "relevance to current conditions" and the adequacy of enforcement. That announcement came when the SCHR was under heavy fire by the NAACP Legal Defense and Educational Fund groups for integrated housing and general ineptitude in enforcing anti-discrimination laws.

The Governor picked lawyer Eli Whitney Debevoise to chair the group which is officially designated the Governor's Committee To Review New York Laws and Procedures in the Area of Human Rights.

Chairman Whitney, a senior partner in the New York City law firm of Debevoise, Plimpton, Lyons and Gates, has a distinguished record of public service in Federal and state agencies abroad and locally, including, from 1959-1960, the chairmanship of the State Task Force on Youth and Juvenile Delinquency.

23 Persons

Twenty-three persons, well regarded for their experience or service in human rights matters—including twelve from the Greater New York area—have been named to the committee. They include: Dr Kenneth B. Clark, Dr. Dan W. Dodson, Joseph R. Erazo, Murray A. Gordon, Dr. Anna A. Hedgeman, Nat H. Hentel, Dr. Edward S. Lewis, Joseph Monserrat, Mrs. John Mosler, Frederick O'Neal, Roderick Stephens and Peter Weiss.

Rockefeller asked the committee to submit its report and recommendations by the end of the year, and to cover the following areas in its study: (1) A review of existing laws against discrimination to determine their relevance to current conditions. -(2) A review of the adequacy of existing procedural and administrative machinery used to enforce the law. -(3) Recommendation of ways to make best use of citizens' advisory committees to aid in eliminating discrimination. -(4) Development of guidelines to coordinate the relationships among the various state and local human rights agencies to id conflict and duplication ort.

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th St. 755-6555
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1270 B'way 565-6355
33 W. 42nd St. 947-9763
WAY—2521 B'way 749-0386
—100 W. 42nd St., 2 fl. 594-0260
HTS—600 W. 181st St. 927-3700
X—384 E. 149th St., 3d fl. 669-6881
EMONT—478 E. Tremont Ave. 587-0700

BROOKLYN—QUEENS
BORO HALL—26 Court St. 625-2176
DOWNT'N—1 DeKalb Ave. 624-6424
FLATBUSH AVE.—144 Flatbush 783-1630
BUSHWICK—1360 Broadway GL 5-1363
WILLIAMSB'G—738 Broadway 388-7920
FLUSHING—38-15 Main St. 353-7500
JAMAICA—92-03 Union Hall St. 526-2500
Q'NS VILLAGE—216-14 Jamaica 776-5700
ST. ALBANS—189-23 Linden Blvd. Near Farmers Blvd. 527-8600

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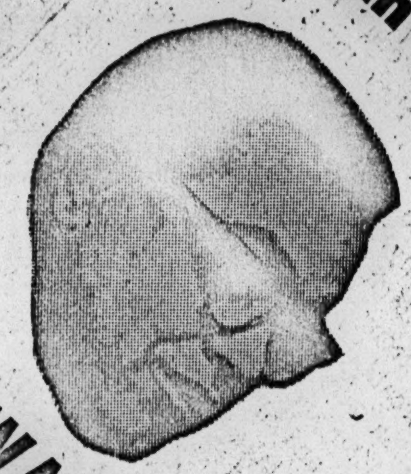
OF NEW YORK, INC.



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S.E.D.F.R.E 8/29/67

INTER-OFFICE MEMORANDUM

TO: Marvin Rich
Shirley Lacy
Carl Rachlin

FROM: Hank Smith

I am attaching the Julius Hobson, "Freedom From Debt--- Through Bankruptch" proposal, before passing it on to community groups. I would like your feelings on bankruptcy as presented here, and if SEDF should take some information, a booklet or pamphlets, to dispense for the benefit of community groups.

TELEPHONE
483-3830

RALPH J. TEMPLE
ATTORNEY AT LAW
SUITE 501
1424 SIXTEENTH STREET, N.W.
WASHINGTON, D.C. 20036

RECEIVED
SEP 7 1967
SEDF

September 5, 1967

Mr. Marvin Rich
Scholarship, Education, and
Defense Fund for Racial Equality
150 Nassau Street
New York, New York

Re: Norman cases

Dear Marvin:

This is a reminder of my request of July 26th that John Karr be reimbursed $132.22 and Hank Schlosberg $53.55 for their out of pocket expenses in the Norman cases. Karr's bills were incurred as far back as January and Schlosberg's in early May; so I sure would like to see them repaid as soon as possible.

Sincerely,

Ralph

Ralph

September 13, 1967

Ralph J. Temple, Esq.
1424 16th Street, N.W.
Washington, D.C. 20036
Suite 501

Dear Ralph:

I am enclosing the checks for the Michael Norman (Football alley case). The summer is always tough and we have about $30,000 in scholarships early to pay early in September, so please forgive the delay. Also, would you tell Hank Schlosberg that this organization if Scholarship, Education and Defense Fund for Racial Equality and not CORE.

Seriously, I am very much impressed with the quality of the work on the case. I am once again appalled at the willingness of the prosecution to handle such a poor case. At the same time, I am very pleased that we helped to prevent further injustice. Thanks for giving us the opportunity to help on this case.

Cordially,

Marvin Rich
Executive Director

Enclosures: (2)
checks #2105 (Schlosberg)
#2106 (Karr)

MEMORANDUM

TO: MARVIN RICH

FROM: Carl Rachlin

Date: 9/15/67

Subject: George Wiley

I had a breakfast meeting with George Wiley yesterday morning and discussed with him a joint effort utilizing many of the welfare groups he has in his National Welfare Rights movement for the purpose of training welfare aids. I think there is no doubt that we can do this, and one of the things we discussed is that perhaps we would make a pilot project in Newark.

I would suggest that a way to begin would be to set up a meeting with Shirley, George, you and I, to discuss the question of how we may proceed. The first problem I assume after the initial indoctrination period with client people who would be trained to be Aids, is the process of intake;that is how to learn properly what a problem is about,so as to determine whether the person is eligible firstly, and secondly in what category of assistance.

By the way, I hope that within the next day or so we can have a meeting with Ronnie, Hank you and I to discuss this problem of the police program in Suffolk County. As you know I am very much concerned about two things;the number of people who are apparently being invited and secondly, who they are. As you know I think that we cannot use the experience in previous groups to apply to a situation as difficult and sensitive as this and I have very strong feelings at the number of people involved. I would like also to suggest that if the meeting is going to involve community leaders then it is perhaps pointless. It can only then, I think, involve too much of a debate on a debating level and not the level whereby the police understand that the ordinary citizen in the community has tremendous antipathy to them and on the other hand that the ordinary citizen of the community at least get some idea of what goes on in a policeman's mind. It is only through this means that something useful can develop. Merely to have two sides on opposite sides of the wall talk is pointless and does'nt meet the program that I spelled out in the first place.

MEMORANDUM

October 2, 1967

TO: Carl Rachlin

FROM: Marvin Rich

SUBJECT: Hank Smith's Memo of August 29, 1967

Hank has been pressing me for an answer to his memo on Julius Hobson's proposed bankruptcy campaign. This is coming up in the field and we should have a fairly well reasoned position on it.

May I have your thinking on this shortly.

MR from CR

You will have an answer soon. I have requested a volunteer who has handled small bankruptcies to give us an opinion. It will be in in a few days

BOSTON COLLEGE LAW SCHOOL
Brighton, Mass. 02135

OFFICE OF THE DEAN

Bob:
I'm mollified - & pleased -
Thanks loads for this
trying to help us on this
marv

October 9, 1967

RECEIVED
OCT 10 1967
SEDFRE

Mr. Marvin Rich
SEDFRE
150 Nassau Street
New York, New York 10038

Dear Marvin:

I was as distressed as you to realize that the program for the Pre-Legal Institute on October 21 has a misidentification of our good friend, Carl Rachlin.

I had a substitute secretary that week and in addition was out of the office on business when the program was finalized.

We are, however, sending out to all of the pre-law advisors a memo indicating that Carl Rachlin is the Legal Director of the Scholarship, Education and Defense Fund for Racial Equality. You will note that only college pre-law advisors are invited for the afternoon session. Consequently it will not be too difficult for us to identify Carl properly to these individuals.

In fact, I have the hope that through the error that has been made your splendid organization may actually receive more "visibility" and publicity than might otherwise be possible.

If you can think of any other way in which we could correct the mistake that was made please do not hesitate to let me know.

It goes without saying that we would be very pleased to have you visit with us on October 21 to give us and the participants your thoughts on this important question.

Sorry

With every best wish,

Sincerely yours,

Bob

Robert F. Drinan, S. J.
Dean

RFD:PB

cc: Carl Rachlin

MEMORANDUM

October 11, 1967

cc: Nannette Sachs

TO: Carl Rachlin

FROM: Marvin Rich

SUBJECT: Conference at Boston College Law School October 21, 1967

I would suggest that you talk to Nannette about our legal scholarship program before you go up to Boston. She could probably tell you fairly quickly how many law students we have helped through school, what schools they went to and what they are doing now. This might make your talk a little more interesting.

Lawyers' Committee for Civil Rights Under Law
233 North Farish Street
Jackson, Mississippi 39201
Telephone: 948-5400

October 12, 1967

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Denison Ray

Asst. Chief Counsel
Jonathan Shapiro

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Washington Office
Suite 1035
1875 Connecticut Avenue, N.W.
Washington, D. C. 20009

Carl Rachlin, Esq.
SEDF
150 Nassau Street
New York, New York 10038

Dear Carl:

I've received your delightful and thought-provoking letter of October 3. By all means let us find reasons to work together, for my own personal pleasure if nothing else.

Your New Jersey suit is intriguing, particularly in the practical restraints it imposes merely by the bringing of it. Down here the few cases attacking bond issues have, as you know, not been too successful although it is an area which should hold great potential.

Regarding your specific suggestions:

(1) Housing is of course a vulnerable civil rights area and one in which I have had past experience in the North. But it is by no means the most acute problem in a state like Mississippi, and for that reason, Carl, I believe it would be a misallocation of resources to focus on segregated housing here -- especially since there is no urban congestion which can be opened up as there is in the large cities of the North.

(2) Negro farmers and Negro property owners generally, but particularly the more rural ones, encounter terrible problems in trying to hang onto their land. A month does not go by but what we have someone come in whose land has been taken by a white man, often in concert with a Mississippi lawyer, by whatever ruse seemed most convenient. By definition the acquisition of the

land by the white person would depend on establishing superior title, though it does not necessarily depend on bad recording of title. We have had to reject these cases because (a) on their face they are not of a civil rights nature, although you and I know differently; and (b) we have not had the resources to investigate to establish a pattern or to otherwise get a CR handle on such problems. For a long time I've wanted to do something in this area. Therefore, I enthusiastically welcome your idea. Let me know what information you need to put the problem in perspective and get it off the ground.

Take care.

Sincerely yours,

Denny

Denison Ray

DR:bjd

MEMORANDUM

TO: MARVIN RICH

FROM: CARL RACHLIN

Date: 10/16/67

You have seen the letter from Denison Ray. I suggest that we follow up as follows:

(a) Meet with foundations for the purpose of raising approximately $15,000 to $20,000. ($6,500 lawyers salary,$5,000 clerical expenses, balance miscellaneous).

(b) The purpose to be described to the foundation is:

Land is acquired by Negro farmers in a variety of ways, gift, purchase, exchange, all of which at various times are done informally. At times of selling the land or raising a mortgage, this causes substantial trouble. The proposal is to make a pilot project in particular county, (Neshoba, e.g.) - here a recent graduate, he will meet with farmers in the area to learn of their problems in this area. Denny Ray says they are substantial.

(c) There are legal remedies for these problems. It is important to take the steps to use them before a crisis for the farmer is at hand. When he wants to sell, and then because of the title difficulties, must sell at a distress price. The legal procedure is generally known by the name - a procedure to quiet title.

(d) This could be a very useful project.

CR

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PHILIP R. STANSBURY
CHARLES A. MILLER

November 9, 1967

RECEIVED
NOV 18 1967
SEDF

Carl Rachlin, Esquire
Scholarship, Education and
Defense Fund for Racial
Equality, Inc.
150 Nassau Street
New York, New York 10038

Dear Carl:

Re: Holden v. Gardner

Enclosed are three copies of the Complaint as filed. I'd really like it if you could join me for Seeley's deposition, which I hope to notice in the next month, and I'll be in touch with you soon. Meanwhile, would you care to send me $46.35 for expenses so far ($10 for filing the Complaint, $15 for service on defendants, and $21.35 for duplicating charges).

Sincerely,

Armand

Armand Derfner

mfw

Enclosures

memorandum

to: Marvin Rich

from: Carl Rachlin

date: November 22, 1967

Our Supremem Court order appears to have been discontinued.

This is a great inconvenience to us since today I was forced to discontinue working on Steele v. Taft because I was unable to read. further.

These continuing services have got to be continued or we cannot function.

May I respectfully request that this bill be paid, as well as all bills for department.

Carl:

What bill from what company? Our bills total $32,000 as you know. We cannot pay them. Therefore, what bill has priority.

We have received no notice of expiration from any legal book company. Have you?

JACK WRIGHT
JOHN M. SCOTT
WILLIAM H. BLACKWELL
C. DEXTER POWERS
D. LAURENCE McINTOSH
ALVIN A. COLEMAN, JR.

FLORENCE, SOUTH CAROLINA
29501

P. O. DRAWER 1540
TEL. 662-4328

December 14, 1967

Mr. Carl Rachlin
Attorney at Law
150 Nausau Street
New York, New York

Re: Thompson, et al
v. Dukes, et al

Dear Mr. Rachlin:

For your information I am enclosing the following:

(1) Copy of Mr. Burgess' letter to me of 12/12/67.
(2) Copy of Satisfaction of Judgment No. 9610.
(3) Copy of Satisfaction of Judgment No. 9611.
(4) Copy of releases executed by Thomas Allen Thompson.

It was my understanding that your organization would pay for the expenses of Sherman A. Henry in attending the trial.

I believe this concludes the above captioned matters.

Sincerely yours,

William H. Blackwell
WILLIAM H. BLACKWELL

WHB:ebg
Enclosures

December 12, 1967

RE: Thompson, et al.
vs
Dukes, et al.

Mr. William H. Blackwell
Wright, Scott, Blackwell & Powers
Attorneys at Law
P. O. Drawer 1540
Florence, S. C. 29501

Dear Bill:

The General Release forms together with satisfaction of judgment forms have all been properly signed by Thomas Allen Thompson, and I am returning all of them herein with the exception of one copy that I retained for my file. The disbursements of the drafts were made late yesterday afternoon after obtaining LeRoy Nettles' endorsement and drafts will be deposited this date by me.

I am also enclosing a copy of a brief Affidavit obtained from Thomas A. Thompson concerning pain and suffering, the original of which I am forwarding to Wallace Connor.

This is also to inform that our Clerk of Court positively states that an oral Order of Dismissal was given by Judge Eppes with reference to Mr. Thompson's case. I have also inserted the judgment roll numbers in the respective satisfaction of judgments and have had the Clerk satisfy these of record leaving only the $2500 judgment against CORE. The Clerk informs me that she will send a bill concerning cost direct to your firm.

I believe that this should now complete these suits in their entirety.

With best wishes, I remain

Yours very truly,

Len

LBB/ejs
Enc.

Leonard B. Burgess

IN THE COURT OF COMMON PLEAS

COUNTY OF WILLIAMSBURG)

THOMAS ALLEN THOMPSON, JR., a minor)
under the age of fourteen (14) years,
by his Guardian ad Litem, Thomas)
Allen Thompson,
)
Plaintiff,
)
-vs- **SATISFACTION OF JUDGMENT**
)
SHERMAN ALONZO HENRY, ONEEDA DUKES
and the CONGRESS OF RACIAL EQUALITY,
a Corporation,)

Defendants.)

)

FOR AND IN CONSIDERATION of the payment of the sum of Three Thousand ($3,000.00) Dollars to the plaintiff and his attorneys by Maryland Casualty Company, the receipt of same being hereby acknowledged, the judgment entered in the records of Williamsburg County in Roll No. 9611 againt Sherman Alonzo Henry, Oneeda Dukes, and the Congress of Racial Equality, for the sum of $3,000.00, is herewith declared fully paid and satisfied, and the Clerk is authorized to cancel said judgment on the records.

Thomas Allen Thompson
Thomas Allen Thompson, as Guardian ad Litem of Thomas Allen Thompson, Jr., a minor

TRUE COPY
BY
CLERK OF COURT
WILLIAMSBURG COUNTY, S.C.

NETTLES & THOMY
LEONARD B. BURGESS

By Leonard B. Burgess
Attorneys for the Plaintiff

December 11th, 1967

of Kingstree in the County of Williamsburg
State of South Carolina in consideration of the sum of
One ($1.00) Dollar and overall settlement of claims ~~Dollars ($~~)

in cash to me paid upon the day of December 19 67 by
Maryland Casualty Company before the ensealing and delivery hereof, the receipt whereof is hereby acknowledged, do hereby release and discharge the said Maryland Casualty Company, Oneeda Dukes and Sherman A. Henry, its and their successors, and assigns, from all claims, demands, suits, actions and causes of action which I can or may have or by reason of any matter, cause, or thing whatsoever, and more especially by reason of ~~injuries to~~ conscious pain and suffering of said Doris H. Thompson, it being my understanding and belief that she was not conscious following the accident

Sherman A. Henry
caused by a collision between automobile driven by Thomas A. Thompson and /
which occurred ~~at or~~ near Kingstree, South Carolina
on or about the 19th day of December 19 65, as well as all claims for nursing, attention, extra expenses, services, loss of support and maintenance, loss of consortium, mental anguish, and from all consequences, injuries, and damages, present and future, resulting therefrom, now developed and known, and also those which may hereafter be developed and ascertained; it being alleged by me that said injuries were caused by negligence on the part of the said Sherman A. Henry

The said Sherman A. Henry however, denies that said injuries were in any manner caused by or were the result of negligence on his part or on the part of his agents, servants, or employees or any of them, and disclaims all responsibility for the same, but has paid the above sum in full and final settlement and compromise of any and all questions, present or future, as a liability in the premises, and also of all claims and demands whatsoever.

In Witness Whereof, I have hereunto set my hand and seal this 11th day of December 19 67

Signed, sealed and delivered in the presence of
Emma Jane Smith
Pinard B. Bryan

Thomas Allen Thompson (SEAL)
Thomas A. Thompson, as Administrator of the Estate of Doris H. Thompson, (SEAL)
Deceased.
(SEAL)
(SEAL)

of Kingstree in the County of Williamsburg State of South Carolina in consideration of the sum of Eight Thousand Four Hundred Dollars ($ 8,400.00)

in cash to me paid upon the day of December 19 67 by Maryland Casualty Company before the ensealing and delivery hereof, the receipt whereof is hereby acknowledged, do hereby release and discharge the said Maryland Casualty Company, Sherman A. Henry and Oneeda Dukes, its and their successors, and assigns, from all claims, demands, suits, actions and causes of action which I can or may have or by reason of any matter, cause, or thing whatsoever, and more especially by reason of injuries to myself, my wife, Doris H. Thompson, my minor son, Thomas A. Thompson, Jr., and all property damages

caused by an accident involving my automobile and an automobile driven by/ Sherman A. Henry which occurred ~~at or~~ near Kingstree, South Carolina on or about the 19th day of December 19 65, as well as all claims for nursing, attention, extra expenses, services, loss of support and maintenance, loss of consortium, mental anguish, and from all consequences, injuries, and damages, present and future, resulting therefrom, now developed and known, and also those which may hereafter be developed and ascertained; it being alleged by me that said injuries were caused by negligence on the part of the said Sherman A. Henry

The said Sherman A. Henry and Oneeda Dukes however, denies that said injuries were in any manner caused by or were the result of negligence on their part or on the part of their agents, servants, or employees or any of them, and disclaims all responsibility for the same, but have paid the above sum in full and final settlement and compromise of any and all questions, present or future, as a liability in the premises, and also of all claims and demands whatsoever.

In Witness Whereof, I have hereunto set my hand and seal this 11th day of December 19 67

Signed, sealed and delivered in the presence of

Thomas Allen Thompson (SEAL)
Thomas Allen Thompson
(SEAL)
(SEAL)
(SEAL)

STATE OF SOUTH CAROLINA)
IN THE COURT OF COMMON PLEAS
COUNTY OF WILLIAMSBURG)

THOMAS ALLEN THOMPSON, as the)
Administrator of Estate of
Doris Hanna Thompson,)

Plaintiff,)

-vs-) SATISFACTION OF JUDGMENT
)
SHERMAN ALONZO HENRY, ONEEDA DUKES
and the CONGRESS OF RACIAL EQUALITY,)
a Corporation,
)
Defendants.)

FOR AND IN CONSIDERATION of the payment of the sum of Ten Thousand ($10,000.00) Dollars to the plaintiff and his attorneys by Maryland Casualty Company, the receipt of same being hereby acknowledged, the judgment entered in the records of Williamsburg County in Roll No. 9610 against Sherman Alonzo Henry and Oneeda Dukes, for the sum of $10,000.00, is herewith declared fully paid and satisfied, and the Clerk is authorized to cancel said judgment on the records.

Thomas Allen Thompson
Thomas Allen Thompson, as the
Administrator of Estate of Doris
Hanna Thompson

TRUE COPY
BY Ximmie B. Jones
CLERK OF COURT
WILLIAMSBURG COUNTY, S. C.

NETTLES & THOMY
LEONARD B. BURGESS

By Leonard B. Burgess
Attorneys for the Plaintiff

December 11, 1967

COPY

December 29, 1967

Armand Derfner , Esq.
Covington & Burling
Union Trust Building
Washington, D.C. 20005

Dear Attorney Derfner:

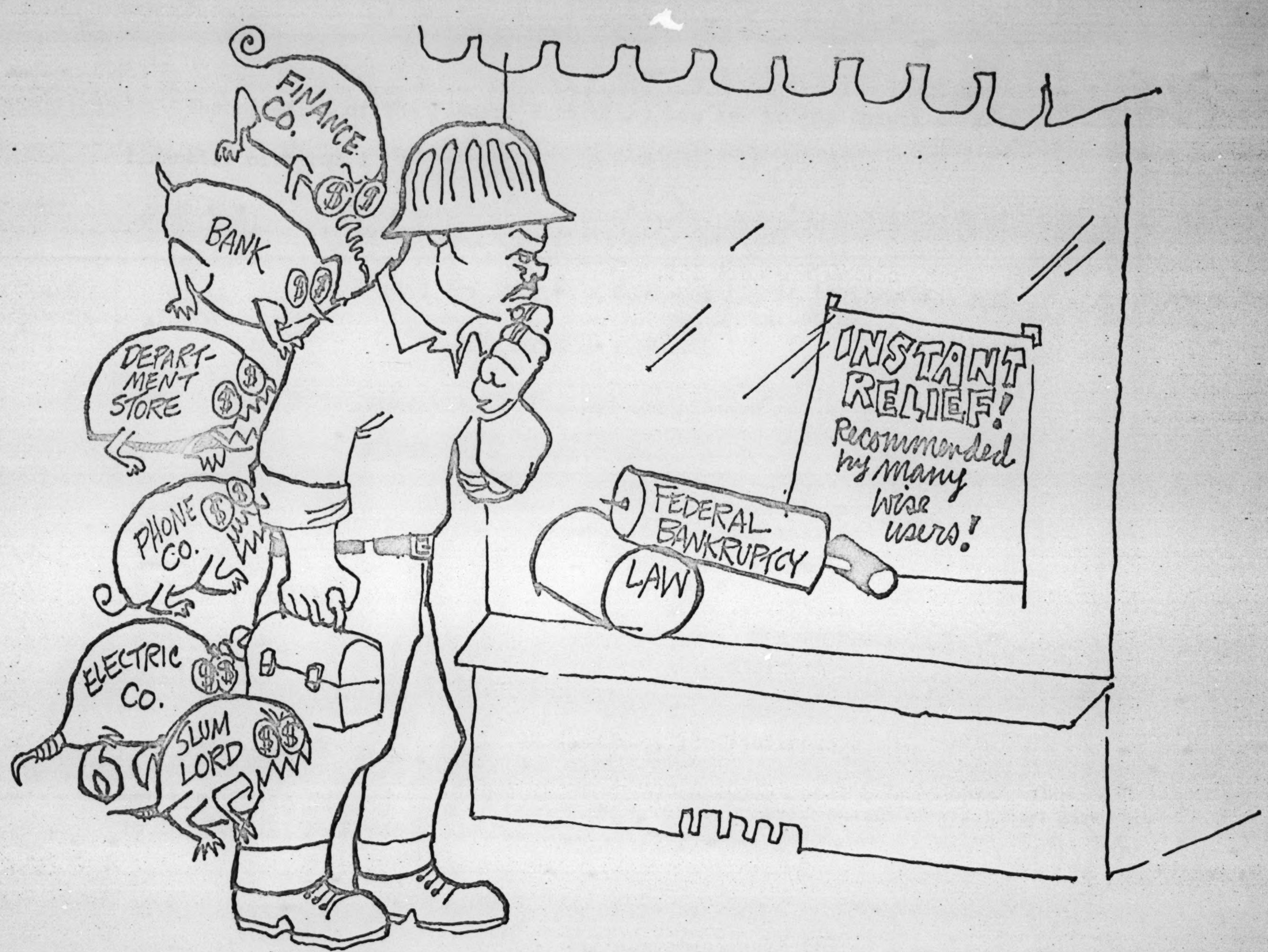
Enclosed, please find our check in the amount of $46.35 representing expenses you had incurred as of November 9th in the case of Holden v. Gardner.

Please forgive the delay in forwarding this amount to you at such a late date, but it was only today that I unearthed your letter. My sincere apologies.

Sincerely,

Jacqueline Turner (Mrs.)
Executive Secretary

Enclosure: (1)
check #2452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>
> Deuteronomy 15:1-2

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For free forms, call:

ACT 543-6153

Washington, D.C.
10 October 1966

MEMORANDUM

TO: Black Power Advocates

FROM: Julius W. Hobson, Chairman
Arrangements Committee
Black Power Conference
November 24-26, 1966
Washington, D.C.

SUBJECT: Freedon From Debt---Through Bankruptcy

A set of laws was enacted during the Populist period to free the poor from oppressive debt imposed upon them through usury and exploitation by the rich.

Known as the Federal Bankruptcy Laws, they have been scarcely touched by America's poor black people who remain largely ignorant of this powerful self-help weapon within their reach.

Powerful banking, industrial and political interests do not wish poor black people to learn of a tool they can seize to cut away the burden of back rent, back payments on the family TV set or furniture, unjust high interest loans. And to make sure they don't reach for such a tool, they have spread an image of shamefulness about declaring bankruptcy. Shameful to unload weeks of back rent for a rundown apartment! Shameful to quit payments on a TV set that, through high interest charges, cost him more than it would his rich landlord who doesn't have to buy it on time!

This legal tool holds tremendous promise for the poor in your communities. It only remains for black power advocates and leadership to bring its advantages to the attention of poor black victims of our jungle economy, and assist them in using it.

I propose, therefore, that delegates to this conference study this proposal and launch a nationwide bankruptcy campaign among all poor black citizens.

(Over)

I am convinced that, properly and swiftly implemented, this tool can strike deeply at the economic and credit institutions that depend for life upon the exploitation of a certain percentage of the population. There can be no uppor or middle economic classes without a lower economic class to support it. History records no such feat.

No people in history have been exploited more than Afro-Americans. No other Americans are more prey to the dehumanizing ills of a capatalistic system---grinding poverty, unemployment, inadequate housing, lousy schools, and year in and year out---owing "the Man".

No, no other Americans have more reason to seize and wield any tool with which to overthrow this economic tyranny.

It is a simple tool. The lawyers in your neighborhood poverty programs are required to assist the poor with any legal problems they may have. The cost to a poor person is only fifty dollars, and can be paid in installments.

Black people have paid through the nose for 400 years of white privilege and exploitation. They owe not one dime more. Let us grab this and any other means, to seize for ourselves Whitey's back payments.

JWH:rvc

PROPOSAL FOR THE USE OF THE FEDERAL BANKRUPTCY LAW TO BENEFIT THE POOR

The extensive system of national bankruptcy law (Title 11 of the U.S. Code) has generally been thought of as existing for the benefit of people who fail to make a go of their businesses, or of their personal affairs when a considerable sum of momey is involved, and for the benefit of the creditors of these people. The use of bankruptcy for the benefit of the poor is relatively non-existent. The purpose of this proposal is to suggest that bankruptcy be used widely across the nation by the poor, particularly in the ghetto areas of the big cities and to demonstrate its great opportunity and ready availability for use.

Explanation:

"At the end of every seven years you shall grant a release. And this is the manner of the release: every creditor shall release what he has lent to his neighbor; he shall not exact it of his neighbor, his brother, because the Lord's release has been proclaimed." Holy Bible, Deuteronomy, Ch. 15, verses 1-2.

These words of the Bible point out how the ancient Hebrews were directed by the Lord to forgive their neighbors of their debts once every seven years so that they might have a fresh start in life. This principle is today the keystone of the usefulness of the U.S. bankruptcy law to the poor. Under the present law a poor person (or, indeed, any person) may apply for a discharge of all of his debts in a federal bankruptcy court. These debts include money owed to banks, finance companies, personal debts, debts reduced to judgment in a lawsuit, rent, telephone bills, charge accounts, gas bills, electric bills, and with a few exceptions, all other debts of any kind. However, there are two basic catches:

First, all property except for certain exemptions, primarily furniture, clothing, and personal items, must be surrendered to the bankruptcy court. These exemptions depend upon state law, and often include a car if used in the bankrupt's work. Examples of the exemptions of some key states are listed at the end of this proposal.

Second, all property, including particularly cars and furniture that is in the process of being purchased under a conditional sale, chattel mortgage, or other such contract can be repossessed.

But there are at least partial answers to these two catches: (1) Any of this property can be sold at fair value up to four months before filing the bankruptcy papers and the cash used to buy food, other necessities, or to buy or pay off debts on exempt property (thereby protecting the money from going into the bankruptcy proceedings). Up to a year before filing for bankruptcy, property can even be given away. It is always better to give or sell to a friend rather than a relative. (2) The debts on exempt property (e.g. furniture) can be paid off before filing for bankruptcy and thereby protected from repossession; or, as may always be done, the debt owed can simply not be listed in the bankruptcy papers and the bankrupt can simply continue paying for the item.

Example:

A simple example might prove useful at this point: Suppose a man and his wife owe the following bills and own the following porperty and that the man works for $50 per week and his wife works for $40 per week:

BILLS	
Rent	$ 200
Gas	35
Electric	25
Phone	50
Finance Company	650
Bank	350
Car	1,650
T.V. set	95
Furniture	275
Groceries	85
Other assorted bills	350
	$3,765

PROPERTY	
Furniture (including T.V.)	$ 450
Car	2,000
Clothes	350
	$2,800

Assume also that the wages of both are under threat of garnishment by the finance company and by the other creditors and that they are unable to pay and are being constantly harrassed.

They may file a voluntary petition in bankruptcy, which they can fill out themselves, together with the payment of a $50 filing fee (none of which need be paid at the time of filing and all of which may be paid in installments over a 6 month period). The filing itself automatically operates to make them bankrupts with the following consequences:

(1) The rent, gas, electric, phone and grocery bills are wiped out and made void; (2) the finance company and bank loans are also wiped out but any furniture (or other property) that has been placed as security for these loans may be taken by the finance company or banks; (3) any and all legal proceedings in any state or federal court to collect any of the debts are immediately stopped and any further action taken in those proceedings against the bankrupts are absolutely void; (4) there is no longer any threat of garnishment of any wages; (5) there is a $350 equity (net value) to the car; therefore, the bankrupt couple may either elect to get their full use out of the car before filing the bankruptcy papers and then turn it in or to not include it in the bankruptcy papers and to keep paying on it (note: if they continue to pay, they should be sure that it is protected by the state exemption law and also is not mortgated as security for another debt); (6) the couple keeps the clothes and the non-mortgaged furniture (including T.V., books, pictures, utensils, appliances, etc.); and (7) the couple must wait six years before they can again take the benefits of the bankruptcy law.

A Few Procedural and Practical Comments:

(1) Note that no cash is necessary to file the papers, but that the

$50 fee must be paid at least in installments over 6 months, otherwise the "discharge", which voids finally all the detbs, will not be granted.

(2) No lawyer is necessary, though it is obviously good to have advice of some sort from a person with a working knowledge of the bankruptcy law. Lawyers generally cost $200 or more -- far more than most people can pay and generally one is not absolutely needed.

(3) The general public is always told that "bankruptcy is bad for your credit rating" -- frequently by the loansharks -- who are scared stiff of losing their "investments". Nothing could be further from the truth, since a person is a far better credit risk after bankruptcy for two simple reasons: (a) his financial position is far stronger, and (b) he can't take the benefits of the bankruptcy law again for six years.

(4) Within a few days of filing the petition, the bankruptcy court mails out notices to all the listed creditors. In effect this is legal notice to them that their claims are now being voided and that they continue to hound the bankrupt at the peril of contempt of the bankruptcy court.

(5) The bankrupt must attend the creditor's meeting called by the referee of the bankruptcy court.

(6) The bankrupt should never agree either orally or in writing after the filing of the bankruptcy petition to pay any creditor any part or all of the old debt, otherwise the discharge will not be effective to void that particular debt.

Conclusion:

The great, untapped benefits of the bankrputcy law to the nation's poor appears to be almost unknown. For example, in 1964 only about 90 persons filed petitions for voluntary bankruptcy in the District of Columbia. Yet, one could reasonably guess that literally tens of thousands of poor persons have a desperate need of the help of the bankruptcy law. Of course, merchants, banks, finance companies, and public utilities will bitterly oppose the expanded use of bankruptcy and may take all sorts of extreme measures to prevent its use. Nevertheless, it is the law; and every American citizen is entitled to its benefits, regardless of the highly disruptive effects that a mass filing of bankruptcies may have upon the financial and commercial community of a particular city or of the nation. The real tragedy, of course, is the existence of an oppressive credit structure that shackles the poor and the low-wage earner.

September 26, 1966.

William L. Higgs
Counsel for ACT

Julius W. Hobson
Chairman of ACT

APPENDIX A: FORMS AND EXPLANATORY COMMENT

The forms are divided into five parts:

First, there is the Petition, which is the formal request to the Bankruptcy court for relief. This is Form 1. The proper court designation can be found by calling up the clerk of the U.S. District Court and asking for the information. The judge's name should be left blank, since the case will probably be assigned either to a particular judge or to the referee. The bankrupt should fill in his name, address, etc, in the appropriate blanks. Finally, the oath at the end can be taken before the clerk at the time of filing all of the papers together; this is probably the better, cheaper, and easier procedure. Unless it appears otherwise, the papers should all be typed neatly, legal size, and double spaced.

Second, there is the Statement of Affairs, of the bankrupt, which is a general run-down of the bankrupt's financial activities. This is Form 2. (Most poor persons will answer all questions with "none", as is true of most of the forms in filing for bankruptcy; nevertheless, the law requires that all the forms be filled out in some way.) Items 6 and 7 will rarely apply to anyone who is poor. The other itmes are fairly simple and should be easy to fill out.

Third, there is the Statement of all Debts of Bankrupt, which lists all of the debts of the bankrupt by the type of debt involved. This is Form 3 (called Schedule A when filed.) Schedule A is divided into five parts. The first part calls for the listing of certain types of debts that must be paid, if any money is available, before other debts are paid. In filling out this part, it is best to simply state in words, in detail, the exact circumstances surrounding the debt to the best of one's ability, since the legal terminology can be confusing. The second part calls for the listing of debts which are secured by mortgages, conditional credit agreements, or by holding such documents as bonds or insurance policies as security. The third part calls for the listing of debts which are unsecured. The words "contingent, unliquidated, or disputed" mean, respectively, "uncertain as to whether actually owed or not, depending on whether or not a certain event happens", "uncertain as to how much the debt is (such as a damage claim from an auto accident)" and "a disagreement exists as to whether there's a debt in the first place." "Consideration of the debt" means "the things or money one received when the debt was created (such as a money loan or groceries or telephone service". The fourth part calls for the listing of all liabilities on notes or other documents which one has done for consideration (generally resulting from a business deal). The fifth part requires the listing of all notes or other documents that one has signed or "gone on" for no consideration such as signing for a friend to help him borrow money).

Fourth, there is the Statement of all Property of Bankrupt, which lists all the property of the bankrupt by the type of property involved. This is Form 4 (called Schedule B when filed). Schedule B is divided into six parts. The first part calls for the listing of all real estate. ("Incumberance" means "mortgage or other security instrument".) The second part calls for personal property. The third part calls for amounts owed to the bankrupt. The fourth part calls for the listing of property, for example, that one will own at some future date or that one can control the disposition of but does not own himself. Fifth, and very important, is the list of property claimed as exempt. This part should be fully and carefully filled out, since this determines the property that one can keep. (See the Appendix for selected states' exemption laws.) Part six calls for a listing of the bankrupt's financial papers.

Fifth, and finally, there is the Summary of Debts and Assets, (Form 5) which can be filled out easily from Forms 3 and 4. Forms 1 through 4 must be sworn to; this can most easily be done at the time of filing.

APPENDIX B: STATUTORY EXEMPTIONS OF SELECTED STATES

/Note: This listing is not authoritative, but it does give a general idea of the exemptions of the selected states and of what is to be expected from other states./

ALABAMA: An occupied homestead (160 acres, $2000); all clothing; all family pictures; selected goods ($1000).

CALIFORNIA: An occupied homestead ($1000); an occupied house trailer ($2500); all clothing; furniture and books ($200); necessary household equipment: 1 refrigerator, 1 washing machine, 1 sewing machine, 1 stove, beds and bedding; pictures; all clothing; food and fuel (3 months); 1 radio, 1 television; 1 piano; 1 rifle, 1 shotgun; all equipment necessary for trade or profession; transportation; automobile ($250) or animal; 50% of earnings for 30 days next preceding; benefits from life insurance ($500), disability and health insurance ($500); all benefits from government (pension, disability benefits, etc.).

ILLINOIS: An occupied homestead ($1000); all clothes; bible, school books, family pictures; selected goods ($400); all benefits from military service (pension disability benefits, etc.) for 1 year next preceding.

MARYLAND: An occupied homestead; all clothing; selected goods; ($100); equipment necessary for profession or trade; all money from insurance.

MASSACHUSETTS: An occupied homestead ($4000); all clothing; beds and bedding; iron stove and fuel ($20); other furniture ($1000); bibles, school books; other books ($50); food ($50); 1 sewing machine ($100); equipment necessary for profession or trade.

MICHIGAN: An occupied homestead ($3500); all clothing; family pictures; food and fuel (6 months); selected goods, furniture, utensils, books and appliances ($1000); equipment necessary for business or trade; all benefits from insurance.

MISSISSIPPI: An occupied homestead ($3,000, 160 acres); all clothing; school books; family pictures ($1200); furniture ($1200); meat (500 lb.); wheat or rice (10 bu.), 40 gallons of sorghum or molasses or cane syrup; wages (head of family $100 a month, others $50); benefits from insurance; 1 sewing machine.

MISSOURI: An occupied homestead (size and cost vary); all clothing; bible, school books; family pictures; furniture ($200); food and fuel ($200); equipment of profession or trade; $500 in selected goods.

NEW YORK: An occupied homestead ($1000); all clothing; bible, school books; family pictures; other books ($50); stove; food and fuel (60 days); 1 refrigerator, 1 radio, utensils; wedding ring and watch ($35); 1 sewing machine; equipment of profession or trade; 90% of earnings 60 days next preceding; 90% of income from a trust.

OHIO: An occupied homestead ($1000); clothes ($100 a person); beds and bedding; cooking stove; heating stove; fuel for 50 days; all books and family pictures; food ($50); earnings 30 days next preceding (80% of first $300 and 60% of remainder).

SOUTH CAROLINA: An occupied homestead ($1000); goods ($500); clothes and equipment of profession or trade of head of family ($300); all wages (60 days); all property of dependents is exempt.

TEXAS: An occupied homestead ($5000 in town, other 200 acres); all books and pictures; all furniture; all clothes; equipment of profession or trade; current wages; benefits from life insurance.

DISTRICT OF COLUMBIA: Clothes up to $300/person in family; furniture and appliances up to $300; equipment of profession or trade (including car up to $500 value); all books and pictures; wages for family head ($200/month, otherwise $60/month) for 2 months to provide for necessaries.

OHIO: An occupied homestead ($1000); clothes ($100 a person); beds and bedding; cooking stove; heating stove; fuel for 50 days; all books and family pictures; food ($50); earnings 30 days next preceding (80% of first $300 and 60% of remainder).

SOUTH CAROLINA: An occupied homestead ($1000); goods ($500); clothes and equipment of profession or trade of head of family ($300); all wages (60 days); all property of dependents is exempt.

TEXAS: An occupied homestead ($5000 in town, other 200 acres); all books and pictures; all furniture; all clothes; equipment of profession or trade; current wages; benefits from life insurance.

DISTRICT OF COLUMBIA: Clothes up to $300/person in family; furniture and appliances up to $300; equipment of profession or trade (including car up to $500 value); all books and pictures; wages for family head ($200/month, otherwise $60/month) for 2 months to provide for necessaries.

FORM 1

DEBTOR'S PEITTION

In the District Court of the United States for the ______District of __________.

In the matter of :
:
______________ : In Bankruptcy No.____________
Bankrupt :
:

PETITION

To the Honorable ____________
Judge of the District Court of the United States for the ______
District of _________.

The petition of ________________, residing at No. ______________ Street, in ______________County of _______________, State of __________, by occupation a _____________ and employed by _________________________ /or engaged in the business of _________________/, respectfully represents:

1. Your petitioner has had his principal place of business (or has resided, or has had his domicile) at ______________, within the above judicial district, for a longer portion of the six months immediately preceding the filing of this petition than in any other judicial district.

2. Your petitioner owes debts and is willing to surrender all his property for the benefit of his creditors, except such as is exempt by law, and desires to obtain the benefit of the Act of Congress relating to bankruptcy.

3. The schedule hereto annexed, marked Schedule A. and verified by your petitioner's oath, contains a full and true statement of all his debts, and, so far as it is possible to ascertain, the names and places of residence of his creditors, and such further statements concerning said debts as are required by the provisions of said Act.

4. The schedule hereto annexed, marked Schedule B., and verified by your petitioner's oath, contains an accurate inventory of all his property, real and personal, and such further statements concerning said property as are required by the provisions of said Act.

5. Petitioner prays, since he has no money to pay the filing fee, that he be allowed to pay said fee in installments.

Wherefore your petitioner prays that he may be adjudged by the court to be a bankrupt within the purview of said act.

____
Petitioner

_________________, Attorney,
State of __________:
County of __________: ss.
:

(form continued on next page)

Form 1 (continued)

I, ________________, the petitioner named in the foregoing petition, do hereby make solemn oath that the statements contained herein are true according to the best of my knowledge, information, and belief.

____
Petitioner

Subscribed and sworn to before me this __________ day of ____________, 19_____.

____

____
(Official character)

Form 2

Statement of Affairs
(For Bankrupt or Debtor Not Engaged in Business.)

(Note.--Each question should be answered or the failure to answer explained. If the answer is "none," this should be stated. If additional space is needed for the answer to any question, a separate sheet, properly identified and made a part hereof, should be used and attached.

The term, "original petition," as used in the following questions, shall mean the peittion filed under section 3b or 4a of chapter III, section 322 of chapter XI, section 422 of chapter XII, or section 622 of chapter XIII.)

1. Name and residence.

A. What is your full name?

b. Where do you now reside?

c. Where else have you resided during the six years immediately preceding the filing of the original petition here?

2. Occupation and income.

a. What is you occupation?

b. Where are you now employed?
(Give the name and address of your employer, or the address at which you carry on your trade or profession, and the length of time you have been so employed.)

c. Have you been in partnership with anyone, or engaged in any business, during the six years immediately preceding the filing of the original petition herein? (If so, give particulars, including names, dates and places.)

d. What amount of income have you received from your trade or profession during each of the two years immediately preceding the filing of the original petition herein?

e. What amount of income have you received from other sources during each of these two years? (Give particulars including each source, and the amount received therefrom.)

3. Income tax returns.

a. Where did you file your last federal and state income tax returns, and for what years?

4. Bank accounts and safe deposit boxes.

a. What bank accounts have you maintained, alone or together with any other person, and in your own or any other name, within the two years immediately preceding the filing of the original petition herein? (Give the name and address of each bank, the name in which the deposit was maintained, and the name of every person authorized to make withdrawals from such account.)

b. What safe deposit boces or other depository or depositories have you kept or used for your securities, cash or other valuables, within the two years immediately preceding the filing of the original petition herein? (Give the name and address of the bank or other depository, the name in which each box or other depository was kept, the name of every person who had the right of access thereto, a brief description of the contents thereof, and, if surrendered, when surrendered, or, if transferred, when transferred and the name and address of the transferee.)

5. Books and records.

a. Have you kept books of account or records relating to your affairs within the two years immediately preceding the filing of the original petition herein?

b. In whose possession are these books or records? (Give names and addresses.)

c. Have you destroyed any books of account or records relating to your affairs within the two years immediately preceding the filing of the original petition herein? (If so, give particulars, including date of destruction and reason therefor.)

6. Property held in trust.

a. What property do you hold in trust for any other person? (Give name and address of each person, and a description of the property and the amount of value thereof.)

7. Prior bankruptcy or other proceedings: assignments for benefit of creditors.

a. What proceedings under the Bankruptcy Act have been brought by or against you during the six years immediately preceding the filing of the original peitition herein? (Give the location of the bankruptcy court, the nature of the proceeding, and whether a discharge was granted or refused, or a composition, arrangement or plan was or was not confirmed.)

b. Was any of your property, at the time of the filing of the original petition herein, in the hands of a receiver or trustee? (If so, give the name and location of the court, the nature of the proceeding, a brief description of the property, and the name of the receiver or trustee.)

c. Have you made any assignment of your property for the benefit of your creditors, or any general settlement with your creditors, within the two years immediately preceding the filing of the original petition herein? (If so, give dates, the name of the assignee, and a brief statement of the terms of assignment or settlement.)

8. Suits, executions and attachments.

a. Have you been party plaintiff or defendant in any suit within the year immediately preceding the filing of the original petition herein? (If so, give the name and location of the court, the title and nature of the proceeding, and the result.)

b. Has any execution or attachment been levied against your property within the four months immediately preceding the filing of the original petition herein? (If so, give particulars, including property seized and at whose suit.)

9. Loans repaid.

a. What repayments of loans have you made during the year immediately preceding the filing of the original petition herein? (Five the name and address of the lender, the amount of the loan and when received, the amount and date when repaid, and, if the lender is a relative, the relationship.)

10. Transfer of property.

a. What property have you transferred or otherwise disposed of during the year immediately preceding the filing of the original petition? (Give description of the property, the date of the transfer or disposition, to whom transferred or how disposed of, and, if the transferee is a relative, the relationship, the consideration, if any, received therefor, and the disposition of such consideration.)

11. Losses.

a. Have you suffered any losses from fire, theft or gambling during the year immediately preceding the filing of the original petition herein? (If so, give particulars, including dates and the amounts of money or value and general description of property lost.)

____
Bankrupt /or Debtor/.

State of____________ :
County of____________ : ss.

I,__________________, the person who subscribed to the foregoing statement of affairs, do hereby make solemn oath that the answers therein contained are true and complete to the best of my knowledge, information, and belief.

____
Bankrupt /or Debtor/

Subscribed and sworn to before me this ________day of ____________ 19___.

____

____
/Official character./

FORM 3

SCHEDULE A-STATEMENT OF ALL DEBTS OF BANKRUPT
SCHEDULE A-1

Statement of all creditors to whom priority is secured by the act

Claims which have priority	Reference to ledger or voucher	Names of creditors	Residences (if unknown, that fact must be stated.)	When and where incurred or contracted	Whether claim is contingent, unliquidated or disputed	Nature and consideration of the debt, and whether incurred or contracted as partner or joint contractor and, if so, with whom	Amount due or claimed	
a.-Wages due workmen, servants, clerks, or traveling or city salesmen on salary or commission basis, whole or part time, whether or not selling exclusively for the bankrupt, to an amount not exceeding $600 each, earned within three months before filing the petition.							$	
b.-Taxes due and owing to- (1) The United States. (2) The State of ____________. (3) The county, district or municipality of ___, State of _.								
c.-(1) Debts owing to any person, including the United States is entitled to priority. (2) Rent owing to a landlord who is entitled to priority by the laws of the State of_, accrued within three months before filing the petition, for actual use and occupancy.						Total ____________		

____________________, Petitioner

FORM 3 (Cont'd)

SCHEDULE A-2

Creditors holding securities

(N.B.-Particulars of securities held, with dates of same, and when they were given, to be stated under the names of the several creditors, and also particulars concerning each debt, as required by the Act of Congress relating to bankruptcy, and whether contracted as partner or joint contractor with any other person; and if so, with whom.)

Reference to ledger or voucher	Name of creditors	Residences (if unknown, that fact must be stated)	Description of securities	When and where debts were contracted, and nature and consideration thereof	Whether claim is contingent, unliquidated or disputed	Value of securities	Amount due or claimed
							$
					Total		

______________, Petitioner

SCHEDULE A-3

Creditors whose claims are unsecured

(N.B.-When the name and residence (or either) of any drawer, maker, indorser, or holder of any bill or note, etc., are unknown, the fact must be stated, and also the name and residence of the last holder known to the debtor. The debt due to each creditor must be stated in full, and any claim by way of set-off stated in the schedule of property.)

Reference to ledger or voucher	Name of creditors	Residences (if unknown, that fact must be stated)	When and where contracted	Whether claim is contingent, unliquidated or disputed	Nature and consideration of the debt, and whether any judgment, bond, bill of exchange, promissory note, etc., and whether contracted as partner or joint contractor with any other person; and, if so, with whom	Amount due or claimed
						$
					Total	

______________, Petitioner

FORM 3 (Cont'd)

SCHEDULE A-4

Liabilities on notes or bills discounted which ought to be paid by the drawers, makers, acceptors, or indorsers

(N.B.-The dates of the notes or bills, and when due, with the names residences, and the business or occupation of the drawers, makers, acceptors, or indorsers thereof, are to be set forth under the names of the holders. If the names of the holders are not known, the name of the last holder known to the debtor shall be stated, and his business and place of residence. The same particulars shall be stated as to notes or bills on which the debtor is liable as indorser.)

Reference to ledger or voucher	Names of holders as far as known	Residences (if unknown, that fact must be stated)	Place where contracted	Whether claim is disputed	Nature and consideration of liability, whether same was contracted as partner or joint contractor, or with any other person; and if so, with whom	Amount due or claimed
						$
					Total	

FORM 3 (Cont'd)

SCHEDULE A-5

Accommodation paper

(N.B.-The dates of the notes or bills, and when due, with the names and residences of the drawers, makers, acceptors, and indorsers thereof, are to be set forth under the names of the holders, if the debtor be liable as drawer, maker, acceptor, or indorser thereof, it is to be stated accordingly. If the names of the holders are not known, the name of the last holder known to the debtor should be stated, with his residence. Give same particulars as to other commercial paper.)

Reference to ledger or voucher	Names of holders	Residences (if unknown, that fact must be stated)	Names and residences of persons accommodated	Place where contracted	Whether claim is disputed	Whether liability was contracted as partner or joint contractor, or with any other person; and, if so, with whom	Amount due or claimed
							$
						Total______	

______________,Petitioner

OATH TO SCHEDULE A

State of ________________
County of ______________ ss.

I, _______________, the person who subscribed to the foregoing schedule do hereby make solemn oath that the said schedule is a statement of all my debts in accordance with the Act of Congress relating to bankruptcy, according to the best of my knowledge, information, and belief.

______________,Petitioner

Subscribed and sworn to before me this _____ day of _______,19__

____

(Official character)

FORM 4

SCHEDULE B-STATEMENT OF ALL PROPERTY OF BANKRUPT

SCHEDULE B-1

Real estate

Location and description of all real estate owned by debtor, or held by him, whether under deed, lease or contract	Incumbrances thereon, if any, and dates thereof	Statement of particulars relating thereto	Estimated value of debtor's interest
			$
		Total______	

________________,Petitioner

SCHEDULE B-2

Personal property

a.-Cash on hand....................................		$
b.-Negotiable and non-negotiable instruments and securities of any description, including stocks in incorporated companies, interests in joint stock companies, and the like (each to be set out separately)......................		
c.-Stock in trade, in __business of ___, at ___, of the value of ___		
d.-Household goods and furniture, household stores, wearing apparel and ornaments of the person..		
e.-Books, prints, and pictures....................		
f.-Horses, cows, sheep, and other animals (with number of each)..................................		
g.-Automobiles and other vehicles.................		
h.-Farming stock and implements of husbandry.......		
i.-Shipping, and shares in vessels................		
j.-Machinery, fixtures, apparatus, and tools used in business, with the place where each is situated..		
k.-Patents, copyrights, and trade-marks...........		
l.-Goods or personal property of any other description, with the place where each is situated....		
	Total______________	

FORM 4 (Cont'd)

SCHEDULE B-3

Choses in action

a.-Debts due petitioner on open account..........		$	
b.-Policies of insurance..........			
c.-Unliquidated claims of every nature, with their estimated value..........			
d.-Deposits of money in banking institutions and elsewhere..........			
	Total ____________		

____________, Petitioner

SCHEDULE B-4

Property in reversion, remainder, or expectancy, including property held in trust for the debtor or subject to any power or right to dispose of or to charge.

(N.B.-A particular description of each interest must be entered, with a statement of the location of the property, the names and description of the persons now enjoying the same, the value thereof, and from whom and in what manner debtor's interest in such property is or will be derived. If all or any of the debtor's property has been conveyed by deed of assignment, or otherwise, for the benefit of creditors, the date of such deed should be stated, the name and address of the person to whom the property was conveyed, the amount realized as the proceeds thereof, and the disposal of the same, as far as known to the debtor.)

General interest	Particular description	Estimated value of interest	
Interest in land..........		$	
Personal property..........			
Property in money, stock, shares, bonds, annuities, etc..........			
Rights and powers, legacies and bequests.			
Property heretofore conveyed for benefit of creditors.	Total ____________		
Portion of debtor's property conveyed by deed of assignment, or otherwise, for the benefit of creditors; date of such deed, name and address of party to whom conveyed; amount realized therefrom, and disposal of same, as far as known to debtor..........		Amount realized as proceeds of property conveyed.	
Attorney's fees.			
Sum or sums paid to counsel, and to whom for filing fees or costs and for services rendered or to be rendered in this bankruptcy..........			
	Total ____________		

____________, Petitioner

FORM 4 (Cont'd)

SCHEDULE B-5

Property claimed as exempt from the operation of the act of Congress relating to bankruptcy

(N.B.-Each item of property must be stated, with its valuation, and, if any portion of it is real estate, its location, description and present use.)

		Valuation	
Property claimed to be exempt by the laws of the United States with reference to the statute creating the exemption.........		$	
Property claimed to be exempt by State laws, with reference to the statute creating the exemption........................			
	Total ____		

SCHEDULE B-6

Books, papers, deeds and writings relating to debtor's business and estate

The following is a true list of all books, papers, deeds and writings relating to petitioner's trade, business, dealings, estate and effects, or any part thereof, which, at the date of this petition, are in petitioner's possession or under petitioner's custody and control, or which are in the possession or custody of any person in trust for petitioner's use, benefit, or advantage; and also of all others which have been heretofore, at any time, in petitioner's possession, or under petitioner's custody or control, and which are now held by the parties whose names are hereinafter set forth, with the reason for their custody of the same.

Books	
Deeds	
Papers	

_______________,Petitioner

OATH TO SCHEDULE B

State of ____________ ss.
County of ____________

I, ________________, the person who subscribed to the foregoing schedule, do hereby make solemn oath that the said schedule is a statement of all my property, real and personal, in accordance with the Act of Congress relating to bankruptcy, according to the best of my knowledge, information, and belief.

_______________,Petitioner

Subscribed and sworn to before me this ____ day of ______, 19 __

____

____
(Official character)

Form 5

Summary of debts and assets
/From the statements of the debtor in Schedules A and B./

Schedule A....	1-a	Wages..................................	
Schedule A....	1-b(1)	Taxes due United States...............	
Schedule A....	1-b(2)	Taxes due States.......................	
Schedule A....	1-b(3)	Taxes due counties,districts and municipalities..................	
Schedule A....	1-c(1)	Debts due any person, including the United States, having priority by laws of the United States............................	
Schedule A....	1-c(2)	Rent having priority..................	
Schedule A....	2	Secured claims........................	
Schedule A....	3	Unsecured claims......................	
Schedule A....	4	Notes and bills which ought to be paid by other parties thereto.....	
Schedule A....	5	Accommodation paper...................	
		Schedule A, total..................	
Schedule B....	1	Real estate...........................	
Schedule B....	2-a	Cash on hand..........................	
Schedule B....	2-b	Negotiable and non-negotiable instruments and securities.........................	
Schedule B....	2-c	Stock in trade........................	
Schedule B....	2-d	Household goods.......................	
Schedule B....	2-e	Books, prints, and pictures...........	
Schedule B....	2-f	Horses,cows, and other animals........	
Schedule B....	2-g	Automobiles and other vehicles........	
Schedule B....	2-h	Farming stock and implements..........	
Schedule B....	2-i	Shipping and shares in vessels........	
Schedule B....	2-j	Machinery, fixtures, and tools........	
Schedule B....	2-k	Patents, copyrights, and trademarks...........................	
Schedule B....	2-l	Other personal property...............	
Schedule B....	3-a	Debts due on open accounts............	
Schedule B....	3-b	Policies of insurance.................	
Schedule B....	3-c	Unliquidated claims...................	
Schedule B....	3-d	Deposits of money in banks and elsewhere......................	
Schedule B....	4	Property in reversion, remainder, expectancy or trust.........	
Schedule B....	5	Property claimed as exempt............	
Schedule B....	6	Books, deeds and papers...............	
		Schedule B, total................	

ANNUAL REPORT

LEGAL DEPARTMENT - CARL RACHLIN

During the last year we have seen necessary, important but wide ranging changes in the functioning of the legal department. To understand these changes, to place them in the proper perspective we must take a moment to look at what has happened generally in order to understand the new methods of functioning of the legal department, its new ways of handling problems and the new kinds of problems in which it is involved.

It was just about a year ago that the term black power became the slogan that has affected the civil rights movement. Without in any way, certainly not in this forum, debating the appropriateness of the term, or for that matter its meaning, the effect upon what was the civil rights movement has been made abundantly clear. While it would take a crystal ball to have predicted the complete deterioration on a national basis of the civil rights movement, looking back with hindsight there is very little doubt that the deliberate isolation of the Negro from society, encompassed within most meanings of black power, perhaps almost all meanings despite protests to the contrary, the concern with largely philosophical, and, if you will, ideological problems, rather than the problems of persons who needed help, has, with few exceptions, isolated most of the civil rights groups from the people who need assistance and from large numbers of supporters of civil rights. Of course the NAACP has not gone in for this kind of sloganeering, but on the other hand, with some exceptions in a few communities, the NAACP has never been, despite its large membership, an organization closely associated with people who face the dreadful problems of day to day living. To some extent this summer may give some indication of what success the integrationist approach that King still espouses can still have. But this test may not arise since it appears that King is withdrawing from Chicago. What this portends is not clear. But in my view, former leaders of the militant sections of the civil rights movement CORE, SNCC etc., have gone into an isolationist phase which by its very nature sets it apart from the remaining communities in the United States whether they be the majority white Protestant,or any of the others. Whether this isolationist phase is the result of a paucity of ideas, is perhaps hard to say but there can be little question that the espousal of this kind of isolationism, since it is an emotional slogan, becomes a substitute for programs.

In any event, the concern of SEDF always has to be with persons, their organizations and their needs. Playing its part in this process was the CORE move uptown because despite the fact that general counsel attempted to keep in close touch with CORE, it was very difficult to do so. In order to see various leaders of the CORE office, appointments had to be made;these were often scheduled, frequently broken and occasionally kept, all making for a less intimate relationship. Finally I felt importuned to resign as general counsel of CORE in November; Marvin Rich has a copy of the letter of resignation. Because of my long years of intimate association with an organization that I had felt had done most of all to make the great contribution to Civil Rights in the first half of the sixties, and particularly since my association had gone back long before that to the first freedom ride when I was called upon to represent Bayard Rustin and William Worthy who were involved at that time, this was not easy. But the new policies and direction of CORE left little choice.

As I indicated above, when it became clear to me at least, that the organization we had been most closely identified with was taking a tack involving it less with people, we had to re-evaluate the work of our legal department. Also necessary, because of the physical move was the re-evaluation of our relationship with other departments at SEDF. Formerly the SEDF departments had worked as separate but equal institutions under a common umbrella, but the new physical proximity and the lack of proximity to CORE, inevitably caused a re-evaluation of our own relationships.

When the interest in the problems of civil rights shifted from the direct play upon Negro discrimination to the less obvious but equally important civil rights problems involving the poor and the discriminated against such as welfare clients, our evaluation of the situation had made us ready and able to take over a substantial part of this new work. In the New York City metropolitan area alone we handle more welfare oriented cases than everyone else combined. While MFY does extraordinarily competent work, by their rules, they are limited to a particular area. Over the past year we have built relationships amongst a broad spectrum of organizations.

Thus one phase of the change that has occurred in the past year concern the fact that not only have we moved into an important civil rights related area, but our relationship to organizations as a result has altered substantially. Most of our work in welfare problems and our capacity and ability to handle them and solve them stems from this wide-ranging experience. Nationally we represent the Poverty Rights Action Center, a clearing house of welfare groups led by Dr. George Wiley, whom you all know. In New York we represent The Citywide Coordinating Committee of Welfare Groups, a loose federation of neighborhood welfare Mothers and other welfare organizations. In addition we have established close relationships with large important organizations such as the United Neighborhood Houses, practically all of the Citizen Actions Projects funded by OEO, and important related organizations such as the Community Service Society as well as CUSA which is a Catholic oriented welfare poverty membership group. In addition we have a close working relationship with the Citizens Committee on Children.

What are these working relationships ? It means that every one of the above organizations as well as others, call upon us to handle a variety of the cases involving members or participants in programs of the various groups;these may be welfare, school, housing, consumer, narcotics and many others. Stephen Nagler and I are frequently called upon to make speeches to these organizations or their local chapters, to discuss welfare problems and SEDF relationships to it and what we can do. Thus our spectrum of activities and the way we are functioning have changed in a sense. We now are a service organization to other organizations. Of course we still receive individual problems from a variety of people but nevertheless we are basically a service organization; and one of the organizations we service is National CORE as well as local chapters of CORE.

Other areas in which we have served numerous organizations are for example in the field of education where both the Citizens Committee On Children the well known organization in New York in this area, and the People's Board of Education, a kind of shadow cabinet or parallel of the Board of Education which oversees many of the functioning of the Board of Education call upon us more and more. We handle their problems in several areas.

Recently we were invited to submit a brief in an important case on the west coast, called Parrish v. The California Board of Welfare. A very significant case, the brief that we wrote together with Edward Sparer, played a major role in re-instating a welfare worker who had refused to participate in a midnight raid on a welfare family.

Together with welfare, and its related poverty problems of children in school we also are handling many cases in a variety of fields of housing such as the problems of tenants with their landlords both public and private;closely related to this are the problems of credit and retail purchasing of the poor, and the fact that is so well known now, they pay more both for the product and the credit to provide the product. One of our largest endeavours is being given to the field of consumer credit, a much neglected area, often talked about, but with little progress to show.

We produced a plan which has so interested the Commissioner of Welfare, the city of New York and top officials of the Chase Manhattan Bank that we have been holding three way discussions and hope very soon to set up new forms of welfare payments which will be less hazardous and more fruitful for welfare clients at the same time helping the welfare clients to learn more about the uses of banks, how to avail themselves of the facilities. In addition, we have had meetings with bank officials exploring the possibilities of opening up general avenues of credit that have been closed.

Hopefully we will involve a program in that area which is in the process right now. I hope to call upon some members of the board who know about credit and finance, to help in the planning of this kind of program. We are preparing a memorandum on a Socio-Legal Institute which will involve itself with the struggles of people in their battles with the anonymous institutions of society.

It is not hard to see that at the one time the change from the kind of work we had been doing before, to the areas in which we spend so much time today was drastic, it was also logical in the sense that as the civil rights movement became defunct, the needs of people continued It was essential to find the means to give the kinds of service people are entitled to from SEDF. Obviously poverty and race discrimination are so much inter-related that this movement, drastic as it was, was inevitable.

So far as the future is concerned, we will expdct to open doors in many of the areas in which these relationships of discrimination and poverty appears reasonably clear. This is the way we see our duties; it has been a rewarding one though less glamourous as compared with the large scale national cases we had been handling in the earlier days of the civil rights revolution.

Not to be ignored, however, is the knowledge that we still spend substantial parts of our time in the more traditional civil rights activities. For example, it is commonly known that we have developed the experience in handling cases involving large demonstrations;as a result we handle cases involving large arrests for a variety of groups, including CORE of course,and for the welfare clents. This has led us to a request that we represent the arrests of workers of the New York City Department of Welfare in a sit-in strike. As a result of the work we did for them since they are not by any means a down trodden,poverty stricken group, they gave a fairly substantial contribution to SEDF for the work we did in that area. The relationship was a little bit like that of an indentured servant but nevertheless I don't think Steve Nagler or I screamed in pain for the work we did, since this organization is one that we must work with closely inevitably because of our work with welfare recipients.

In addition we have worked much closer with other SEDF department than we previously had during the last year. Our relationships overlap with Ronnie Moore's work. We frequently discuss our work as it affects us both in the areas of society, and of course Ronnie calls upon us as he should. We help him wherever we can, going to his training sessions whenever we can particularly when it can be useful to the program. Similiarly our relationships with Shirley Lacy's program are very intimat and we frequently consult and assist each other.

The need for integrated work is tremendous and my recent trip to the northwest, as I have reported to Marvin and Ronnie illustrates this. In Portland and the other larger cities of the state when word got around that I was there, (I had made a speech that apparently was discussed by quite a few people) I began receiving telephone calls from many persons including the governor's top executive assistant, who wanted to know more about SEDF and how we can help the state of Oregon plan its programs in many of these areas. Portland State College i desperately anxious for us to help them with a program of leadership training, welfare assistance, legal assistance and so forth in its new urban affairs center.

Similiarly, this was true in Seattle also where I was called upon to talk. People are waiting to hear what we can do in the areas of our expertise. I hope the board will give some consideration to the North-West territory because it is the most untouched area in the United States. None of our sister organizations seem to go there or to care much about it. It is reasonably prosperous yet it has fairly serious problems crying for assistance from an organization such as SEDF.

Happily we are still handling major cases and only recently began a very important case in South Carolina (with our local attorney,Ernest Finney, representing us) against the Campbell Soup Company under the employment discrimination sections of the 1964 Civil Rights Act. This case involves a major confrontation with the use of personnel and psychological tests in the hiring of workers. Equal Employment Opportunity Commission is anxious for us to pursue this case because of its importance. Since they have issued a preliminary decision in our favor but cannot go to court on behalf of our client under the law, Mr. Finney and I filed in the South Carolina Federal Court.

In addition, we made what we know as a major contribution in the important school decisions decided by the Fifth Circuit within the last month or so. Not only are several of these cases ours, but the position we took in the argument helped bring about the good results.

We are still waiting decision on that most important case *Steele* v. *Taft* involving the power of the court to order the opening of a public facility closed for discriminatory reasons. If we win this case it will be a first.

Probably you read in the papers we lost a major part of the case of *Pierson* v. *Ray*. The Court refused to knock aside the thousand year old immunity of judges ignoring the legislative history of the old Civil Rights laws;on the other hand in the same case but not as well publicized although equally important we won on the theory of damages the Court below had held that when people appear at a public place knowing the risk is great of being arrested, they cannot recover damages. This was a very dangerous rule, upheld by the Fifth Circuit . The Supreme Court ruled in our favor saying that if people had a right to be there and are being peaceful, the fact that they know they are going to be arrested does not eliminate their right to damages. Thus we have established an important principle for the future, even though we lost the major issue. We will probably have to go back to Mississippi to retry this case in the not distant future.

At this moment we are educating ourselves in the latest area of interest involving Federal, State and City governments, namely narcotics. Here is another example between poverty and race relationships. The new legislative programs require our attention since many of the groups we service will be invloved.

Although our focus changed we are still handling the same kinds of cases as well as the newer areas, in fact I can say positively, never before have we been so busy on a minute to minute basis and I think I can honestly say that we have helped to enhance the reputation of SEDF in the new areas in which we have worked.

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ROUGH DRAFT

Legal Committee Meeting, November 7, 1967
From:Carl Rachlin, Legal Director

On previous occasions we have discussed the way in which legal services have changed as performed by SEDFRE over the past seventeen or eighteen months. Without in any way belabouring the question, nevertheless briefly the change resulted from the collapse of the civil rights movement and methods of referral of case to us as a result of this collapse. With this change, our relationships developed more intimately with community organizations in many areas and especially so in New York City where a tremendous upsurge of programs developed in the field of welfare demonstrations. Years and years of resentment caused an outburst amongst the people who had been improperly restricted as to their needs and suddenly we were confronted with urgent necessity to meet the need. SEDFRE should be proud, in my view, of the way our small legal staff joined in to meet this need. This was in the greatest tradition of our organization.

If it were not for Mobilization For Youth working in its particular area with a large staff of lawyers and our small staff working in numerous other areas, in and around New York City and other states as well, this tremendous need would not have been met because as you know, as yet there is no Legal Services program in New York and Legal Aid was practically useless in this regard, as can be easily documented. In addition we served as advisor to the rapidly growing Poverty Rights Action Center and the related National Welfare Rights organization. This group has organized and participated in the coordination of organizational efforts in many communities in the United States.

The demands upon our legal staff were tremendous including receiving, handling and trying to settle, trying and even appealing many many welfare administration cases. Hundreds in fact were handled in this manner with enormous resulting benefits to clients.

At this time however, while the need is still tremendous, we can now look more optimistically on the formation of a legal services program in New York which should remove a substantial part of the burden with this in mind, I should like the permission of our Legal Committee to consider different areas of work which have not been attended to because of the tremendous time spent in Welfare Administration.

Welfare

1. As stated it is our intention to give up or rather to phase out gradually from the day to day handling of welfare administration cases. What we will do instead since there is a tremendous need and since it fits in with SEDFRE's program and we ask the consideration of the Legal Committee on two different aspects of welfare problems which we think are important.

para professional advocates

(a) Marvin Rich and I, had discussions with a number of people in the field and particularly with those associated with the Columbia University Institution on Social Welfare Policy, formerly directed by Ed Sparer who has recently moved up to Yale and with George Wiley, National Director of the Poverty Rights Action Center. Clearly the handling of welfare cases has to be done in a manner different from the way it has been in the past. It is too demanding upon lawyers time and it is the kind of thing that could possibly be handled by specially trained other people. We have particularly in mind three categories of people I, welfare mothers, II, law students, III, social workers. Our discussions,all tentative up to this point, involves working closely with Columbia University which would on its part prepare written material on the handling of welfare cases, which could be used by these three categories of people, above referred to, then we and Columbia would participate jointly in all training sessions with these different groups. Then lastly, we would undertake in a form of job training to take small groups of two or three Mothers or law students, or social workers into hearings, let them first see how the hearings are conducted, discuss the problems after the hearings and gradually work in a slow fashion, these groups into the conduct of the hearings themselves so that they could take over the handling under general supervision which persumably would be done by somebody other than SEDFRE. From our observation it is quite clear that the welfare clients would gain a lot by this and we can serve a double purpose;this work which has been troublesome and time consuming and make certain that it is covered in SEDFRE fashion by training community people to do the work, particularly the Mothers.

With regard to the law students this is another phase of our work which has been most successful over the years. The live training of students to the preparation of handling, even now trying of cases, an experience which no law school up to this point has been able to give them. This will fit in and supplement their legal education just as the work in our office over these summers has successfully helped us and added to their legal education. To some extent this will also be true of social workers, who will be better able to understand their jobs as a result of this and hopefully will perform more satisfactorily in other areas of their work.

(b) Thereafter we would participate in welfare cases only in policy making problems where experience and our services would be useful. For example, as you may perhaps know, one policy case that we are involved in which we think can help lawyers is a suit which Legal Aid turned down for a welfare mother who came to ask matrimonial assistance because her husband had unaccountably disappeared eight years before. Keeping in mind the need for legal assistance, this could serve as a useful vehicle, we persuaded one of our volunteers Rhoda Karpatkin to undertake the matrimonial proceedings which is just about completed. Rhoda Karpatkin will then submit a bill for legal services to the welfare department on the grounds that these were essential and necessary to the well being of the client. If the welfare department pays the fees, fine, we would have made a valuable contribution;if it doesen't it is our current intention to sue the department for that fee since they paid for other professional services and legal services, particularly in cases of this kind are equally important. This is the kind of case we hope to continue in for the future.

Land Tenure 2. Another project which Marvin Rich and I have been discussing, this one in conjunction with the Presidents's Committee in Jackson, Mississippi. As you know the President's Committee is the official civil rights legal service program set up which got off the ground very slowly, but since our former volunteer Dennis Ray has taken charge of the program in Mississippi is performing admirably there. Just as in the above situation we made the proposal to Columbia University for the joint effort, we have proposed to the President's Committee consideration of a project. It has been increasingly clear in many southern states that the titles of Negro farmers are often held in very informal fashion;sometimes no documents at all are recorded, occasionally a white man,perhaps the father of the Negro farmer gives the farmer a piece of land,thats all, no deed transpires or a Negro farmer may buy a piece from another farmer, a white man, and may receive some kind of a document but not a deed, and in any event it is not recorded. Problems often arise and we know this for a fact;the Negro farmer wants either to sell the land or raise a mortgage for certain improvements and then he acts under distress and often loses substantial sums of money. It is our suggestion and the President's Committee is very enthusiastic about it, that we raise a sufficient sum of money to make a test in one county in Mississippi where we would send in a young lawyer to work for approximately one year, whose job it would be to meet with local groups, local farmers, interview them, find out extent and nature of this problem, check records in the county clerk's office of the particular county and then in cooperation with the President's Committee and ourselves would begin legal action to correct title problems or to quiet title in one fashion or another. The purpose of this program is to see the extent and depth of the problem and how much effort is required to correct it, not under distress circumstances. This would be a most useful project and fit in with our service to community organizations in various parts of the south, particularly since the work would be done in close coordination with the community organizations, such as farm cooperatives, voters groups and the like. We request the consideration of the Legal Committee as to this problem.

Consumer Credit

3. An area which is of the utmost importance but has been continuously neglected from a legal point of view is the whole field of legal services and consumer credit retail fraud. At different times I have discussed this with Marvin Rich, with the husband of Nanette Sachs, board member and a variety of other persons. There are and should be valuable test law suits to be brought by and on behalf of persons in living ghetto sections against the trade associations which takes such advantage of poor people, forcing them to pay higher prices, higher credit and so forth. We have some law suits in mind which need exploration in depth and this can be a tremendously valuable service as soon as we can develop more time to work in it. It would be wise if we could put a lawyer to work studying the nature of the ancient doctrine of consideration and its possibility of modification in light of the needs of the present times. This could be a tremendous help.

In addition, there is another aspect to the credit problem that requires a combination of economic-legal-sociological skills and I have prepared a draft of a memorandum for the creation of a socio-legal institute which would study the needs of credit amongst the poor the way it is presently granted, the assumptions upon which credit to the poor is made, and what can be done with it. As I mentioned above, conversations have been had with the husband of board member Nanette Sachs who has considerable background in this kind of credit as to the assumptions that are made and what if anything we can do about it. For example it is clear that the assumption is that one of the major reasons that credit is not extended to the poor is that somehow they don't pay their bills, but an in depth study in coordination with community organizations in various parts of the country and in local groups in urban ghettos would be useful in helping to create the legal and legislative atmosphere to improve the credit so that the poor in making their purchases would not have to pay more for articles than the average person.

Housing

4. We are working on a project to consider the expansion of the state power of condemnation as a useful tool to help eliminate the segregated housing patterns that exist all over the United States, particularly in the north. One of our students is actively engaged in this project at this very moment. If the study shows

what we anticipate, we may be in the position to speed up a little the process of lily white ghettos being desegregated. This could be a major legal test area and a valuable service to be performed by us.

In addition of course there are techniques which we have not yet tried which have been on our drawing board for the handling of slum landlord created problems such as suits for the appointment of equity receivers to manage property, to borrow money and make improvements and the like, matters of importance which have not yet been fully explored and which we would like to explore.

Employment

5. ~~As you~~ know we have a very important case pending involving the Campbell Soup Company in Sumter, South Carolina, under title 7, employment discrimination section, of the 1964 Civil Rights Act. We hope to make good law with this case, but in addition there are other important areas of the law not yet explored which require a good deal of exploration. What to do about the built in seniority systems which have such a deadening effect upon the employment of minority people. There are cases in the United States Supreme Court which indicate that seniority is not so much of a property right that it cannot be modified. We would like to begin cases which would put that application to the 1964 Act in such a way as to make more flexible the seniority systems, so that minority peoples can obtain employment and rise more rapidly in scale of employment. We still have school cases pending in Louisiana, several in fact, based upon the attacking of the school bonds procedure which we have tried out in the past. There will undoubtedly be school cases still arriving in the future and obviously the whole field of northern school cases will require further exploration and we have had one case pending in New York City for some time which we have deliberately laid aside temporarily because of the confused state of needs of people. We hope somehow this will straighten out and we can push our case again and try it out in other areas.

Miscellaneous

6. Because of the special circumstances of SEDFRE in South Carolina, we must keep in mind that there is a constant demand for our legal services. For example at the end of November, I will be participating with Ernest Finney in a case in which CORE is being sued in an outrageous situation for an outrageous sum of money, merely because a man who at one time may have been a CORE worker was engaged in an automobile accident. Normally these cases obviously are not the kind that we handle, but clearly CORE in this case is being attacked because it is a civil rights organization and because of the publicity that is involved and we feel obliged for that reason to defend the case. That trial will be taking place later on in November.

We are at this moment waiting for a report from Richard Sobol, who is the LCDC attorney in Louisiana and who is going to succeed Alvin Bronstein as chief trial lawyer for LCDC in the south. Sobol has promised us a report which would indicate the areas of work which he thinks it is important that SEDFRE performs. Particularly in Louisiana which has traditionally been a territory of importance to our organization and perhaps similiarly work that could be performed in Alabama. As soon as I have this report which I have asked for, which he has promised, I will have copies sent to the Legal Committee.

These are all areas that seem important to us. Bill Ellis has suggested very wisely that a special sub-committee be set up which would co-opt members of the academic legal committee to evaluate areas of work in which we should be performing our services. Areas in which we have been involved or which we ought to be involved. This I certainly hope the legal committee will analyze this report that Bill Ellis makes so that we can if it is thought advisable get to work on it very rapidly.

If we perform most of the services described above it is clear we need more than two lawyers which we have at the present time and I would like to urge that the committee give consideration to our hiring a third lawyer. Recently we have lost several fine young Negro attorneys who could have performed valuably with us,who would have made a fine contribution to the work of the organization. I would hope that this committee will consider our request and perhaps recommend to the Board that the budget be ammended to include the hiring of another lawyer, together with whatever clerical asisistance would be required.

NEGOTIATIONS PROCESS

By Carl Rachlin 12/67

Negotiations for a community organization representing not only its own members but other persons in the community, involves obtaining benefits by peaceful discussion with groups or persons who have the power to grant the benefits required.

In this process then the first step is to decide what the goals are in any particular area; in other words what the ultimate benefits to be obtained are. To stop pain we have to find the cause;this is true both in medical conditions as well as social conditions. General courses of help cannot eliminate causes of pain. Thus the first step is to determine what the goal is in order to ease the pain.

The second step involves analyzing and deciding what is the problem, and who has the power to affect the changes required; is it the City Council, is it a Commissioner or is it some one in the State Capitol or State Legislature.

The next item, which may well be the most important, requires the learning of everything there is to know about the facts in the particular situation. Effort and manpower are the ingredients and there is no substitute. For example, if in so many communities, the Negro section of the community has inferior streets and inferior sewers, a factual survey should be made on a broad level comparing Negro streets to white street, showing block by block, the lack of paving, sidewalks, streets and the condition of the sewage. If you know your facts specifically, the wool cannot be pulled over your eyes when you sit down to discuss the problem. This way the opposition knows you mean business and are not merely crying.

In a school situation, we must know item by item, the conditions in the Negro school as compared with the white, how old is the building, the number of children in the classroom, how well-trained are the teachers, what are the lunchroom facilities, library facilities;are the transportation facilities equal to that of the white children.

The next item that must be analyzed concerns your strengths and weaknesses as well as the strengths and weaknesses of the opposition in this situation; is this an economic problem or a political problem ? This is important to know because it may be a means of dividing you opposition. If it is an economic problem,the political persons may support and help you in the economic battle you are about to engage in, on the other hand should this be a political battle it may be possible to enlist persons in the community with economic strength, such as storekeepers, to support the political battles such as the improvement of schools or streets. Try not to let the opposition unite against you.

In other words it is very important to analyze the nature of the opposition and how they may be divided;not in all cases can this be done but unless the analysis is made it will never be done, even in cases where it can be done, and you have a united opposition against you.

Thus the process of negotiation requires a tremendous amount of preparation. We must know our goals, our facts and who is it that has the power to drant the demand made by the community organization on behalf of the people and furhtermore, we must know the nature of our power and the strength and weakness of it.

When these matters have been taken care of in the proper way, only then is it possible to sit down with the opposition and begin the process of negotiation. As soon as the opposition sees that you understand your goals, know your facts, know from whom the result may be obtained, the opposition is then placed in a defensive position. While negotiation is conversation between two groups of people, underlying this conversation is either respect or contempt;and if you your goals and your facts and what can be obtained from the opposition, the opposition must respect you whether it likes you or not. In this kind of situation it is well to be loved, but more important to be respected -- love alone without respect is not likely to produce good results, respect alone may. Obviously, both are important but not always possible.

With this background the negotiation process is not complicated; it is only complicated when the background has not been throughly explored. To say that it is not complicated does not mean however, that the objectives will be obtained easily, it merely means that the opposition, should it try to pull the wool over your eyes, will not be successful and that it can be constantly brought back to stick to the point.

How one behaves in a negotiating session may vary with the particular circumstances. Above all, one must never lose one's temper...at all times have control of what you say... this does not mean however, that there may not be occasions when you may wish to act out temper, but this is "role playing" to shake up the opposition but at the same time retaining complete control of yourself.

From experience it is probably wise to select one person from the committee meeting with the opposition to be the chief spokesman.

Even though particular people on the committee may be specifically prepared to discuss certain aspects of the problem, it is generally wiser to let the spokesman indicate when one of the other members of the committee should speak up. This will have at least two effects;it will gain further respect from the opposition because the opposition will see a demonstration of a disciplined team, which will inevitably frighten the opposition and secondly, it will not result in anyone accidently blurting out something that should not be said at that time.

During the course of this discussion, it is generally useful to take a break every so often for a few minutes to make certain that the entire negotiations team is in agreement up to this point and secondly, perhaps more important, tentative decisions may have to be made in the tactics to be used to obtain the ultimate ends or goals. Not in every situation can the goal be obtained in one step, some terms may have to be intermediate achievements leading to the goal. So long as the goal is clearly in mind, there will not be confusion as to whether the intermediate step brings us near to the goal or is merely a diversionary offer by the opposition in order to confuse us.

While negotiations are a peaceful process the opposition must clearly know the nature of the strength behind the negotiating team whether it be political or economic. If the matter of strength is clearly understood and discipline and knowledge are seen, the chances for success is greater. While the logical and factual arguments are important, nevertheless the strength must be known in a subtle way to the opposition.

However one acts and how forceful one appears, depends on the circumstances and as learned by experience,for which there is no substitute. What we have said above are merely guidelines which we hope are useful, but may require modifications depending on the specific situations.

One must merely keep in mind that the tactics one uses are designed to achieve a goal and not to be confused with the goals themselves.

SEDF:CR/gn

Fund For Racial Equality.

WELFARE CLIENTS AS ADVOCATES

The Nature of The Proposal

As a result of the great increase in Welfare client organization over the past year and a half and the resulting increase in the number of demands for administrative hearings, the need for advocates to conduct these hearings has increased inordinately. Except in unusal policy making cases lawyers have not been as eager and willing to offer their services as they were in civil rights cases. For example, in New York where there have been well over a thousand demands for administrative hearings, the only lawyers available have been those on the staff of the Scholarship, Education and Defense Fund For Racial Equality (SEDFRE) and Mobilization For Youth (MFY).

It is imperative therefore, that new techniques be developed for training people to assist welfare clients in the handling of welfare hearings. These hearings are rather typical administrative hearings, very informal in proceedure but requiring familiarity with the federal and state statutes as well as federal and state regulations. It is proposed that welfare clients be trained to be lay advocates on behalf of welfare clients who have requested welfare hearings.

Welfare clients can be trained: in labor relations persons with relatively little education and no professional training come from shops and offices to handle the grievances of fellow employees, to negotiate labor contracts and handle complicated arbitration procedures, as well as administrative hearings and conferences.

Welfare clients have advantages as advocates: welfare clients have had to live through the problems and know and feel the issues. Careful selection of the trainees of the programs set forth below should produce persons capable of performing this valuable service.

This program if successful could be a prototype of other programs in other parts of the United States where the need is great and legal service extremely limited.

Selection of Potential Lay Advocates As Trainees

Citywide Coordinating Committee of Welfare Groups has in the last year and a half developed and functioned as a central coordinating council of neighborhood groups of welfare clients all over New York City. Citywide has the structure and relationships with local groups to be able to locate, interview and preliminarily select persons to be considered for the training program. After the preliminary selection has been completed, the legal director of Scholarship, Education and Defense Fund For Racial Equality, the director of Citywide and a representative of Columbia University's Center on Social Welfare Policy and Law will interview the candidates with a view to selecting ten trainees. The major factors to be considered will be leadership qualities previously shown in community organizations, individual iniative, and seriousness of purpose.

The Training Program

The Columbia Center on Social Welfare Policy and Law will prepare written materials for the use of the trainees. Columbia has had vast experience in preparing materials such as welfare manuals and legal memoranda in this area of law and have worked with organizations of welfare clients in the preparation of these materials as well as assisting lawyers in developing the principles in a field where there was practically no law before. Its staff has detailed knowledge as to the legal principles involved in understanding the various statutes and the conduct of hearings in this field of the law.

The trainees are to be given orientation sessions conducted jointly by the Center on Welfare Policy and Law and the legal director and associate director of Scholarship, Education and Defense Fund For Racial Equality. The latter have participated in hundreds of welfare administrative procedures at various levels. The purpose of these orientation sessions would be to acquaint the trainee with the general principles of law. In addition there would be detailed discussion of important federal and state regulations and clear analysis of the types of hearings in the welfare law. In addition to the above, mock hearings would be held to acquaint the trainees with the form, appearance and procedures at a welfare administrative hearing. These orientation sessions are planned for five half days per week for a period of two weeks.

At the end of the above orientation session small groups of trainees will be taken to fair hearings to observe actual conditions and the kinds of issues that arise. At the end of such hearing, the attorney and the trainees will discuss the issues that arose and the procedural problems that required solutions during the course of the hearing.

At least once a week at this phase of the training, there will be sessions involving all of the trainees in order to share experiences and discussion of the procedures used during the hearings. Furthermore stress will be put upon the prepared items discussed in the previous part of the training. This phase of the training shall be completed in two weeks.

At the conclusion of the training above, under the supervision of the legal director or the associate director of Scholarship, Education and Defense Fund For Racial Equality (SEDFRE) trainees will begin to participate in the actual conduct of the hearings. At first the trainees will prepare and conduct the examination of a particular witness during the course of a hearing. At the end of the hearing, the lawyer present, the trainees who participated and two or three trainees who observed will discuss what has happened at the hearing with a view to understanding better the process of bringing out testimony. At the end of two weeks of this aspect of training, the trainees should be participating fully to exchange views on problems and to discuss problems that have arisen, that were not included in the previous training program.

The attorneys will meet with individual trainees to decide what cases deserve further appeal so that recommendations can be made to the clients involved. The attorneys will work with the trainee in the preparation of all materials needed for this appeal.

Inevitably, some of the cases referred to the trainees will involve unusal problems or policy making problems which will be beyond the scope of the trainee. The legal department of Scholarship, Education and Defense Fund For Racial Equality will conduct such hearings.

Some of the cases referred will require application to appropriate courts in order for the client involved to obtain the right to an administrative hearing. For example, some clients may be denied the right to approval for assistance. Such problems often require a court proceeding to settle the matter. Court proceedings of this kind will be handled by the legal department of Scholarship, Education and Defense Fund For Racial Equality in order to make certain that the client receives effective representation.

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2 in order to make certain that the client receives representation.

VI Proposed Budget

Ten @

(a) ~~Each Trainee~~, $1320. each 13,200

10

Si~~nce the trainees will be performing valuable se~~rvices they should be paid some emolument. Each trainee advocate will receive $85.00 per month, ~~for services performed.~~ ~~The services included in this will~~ for four half days per week e~~ither in preparation of witnesses or the~~ con~~ducting of hearings, in additio~~n also the trainees will receive $25.00 pe month for travel expenses.

(b) Services of Scholarship Education and Defense Fund For Racial Equal

(b 1.) Legal Director; During th~~e first phase of the~~ training progra

40 days @ $100 per day $4000.-

(b 2.) 3 Associate Legal Director Dur~~ing first phase~~ of training prog

30 days @ $ 75 per day $2250.-

~~(b 3.)~~ Services of Legal Director and Associate Legal Director during continuing supervisory period.

Legal Director:

20 days @ $100 per day $2000.- 11,750

Associate Legal Director:

30 days @ $ 75 per day $2250.-

G.O.

(b.4.) Services of Welfare Director in advising trainees i~~n sociologica~~ and ~~related problems o~~f trainees.

b5

20 days @ $ 75 per day $1500.-

(6 5.) Citywide Coordinating Committee during this entire period will perform services in recruiting trainees, will keep records necessary on each trainee, will assist trainees in making witnesses available

(b 5 cont:) for interrogation and bringing them to the administrative hearings.

one years service $5,000.-

(b6) ~~Since~~ It is anticipated that all and almost all of the trainees will have several children, therefore babysitting services will be required. The ~~legal Director~~ of SEDFRE and ~~other groups involved~~ will attempt to persuade the New York State Department of Social Services to absorb the cost of babysitting for the children of the trainees. If this is unsuccessful, the anticipated cost of babysitting will be $14,000.- for the entire year.

(b 7.) Anticipated costs of appeals and court proceedings $2500.-

~~(b 8.) Columbia University Center on Social Welfare Policy and Law will absorb its own cost. $000.00~~

~~(b 9.) Scholarship Education and Defense Fund for Racial Equality overhead and clerical cost. $3500.-~~

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Draft #1.

RECRUITING METHODS FOR INCREASING MINORITY REPRESENTATION IN THE STUDENT BODY OF LAW SCHOOLS

While the ultimate effect of the opening of southern schools to Negro students cannot yet be determined --------------, the closing of other Negro schools formerly segregated will have a deleterious effect. The need for Negro lawyers is tremendous and more particularly the need for lawyers trained in quality law schools is still more important. So long as a system continues whereby Negro children receive an inferior education, whether this be in the south or the north, their opportunity to enter the schools which pursue higher quality education is inevitably limited. Closing Florida A & M for an example, so that because Florida State ~~refuse~~ a few streets away in Tallahassee, will accept Negro students, on its face appears to meet the needs of more modern education but in fact they have the opposite effect. The pressure is also great to close other Negro schools, Texas -------------- is at the present time has been asked to close its law school. The Negro community is far under represented insofar as the laegal profession is concerned and the need is great;while in no way denying the right of the individual

-------------- to choose whatever counsel he desires, nevertheless the inability of the Negro client to consider the selection of a Negro attorney in problems where social questions are at issue, may considerably affect the outcome. Similiarly, it is only with more Negro attorney better trained, can we expect, given the social circumstances of the present day, the white client ever to select a Negro attorney (at this point we ought to give figures as to the number of Negro students in particular law schools that have the number attending law schools in the United States or by region).

THE PROGRAM

There are certain facts which ....and have been the deterrent s in good parts to Negroes attending law schools. (a) Negroes are not often enough informed about law schools and how to attend them (b) Their educational background because of poor quality schools is normally not good enough to enter law schools (c) They have not been able to undergo an especial training process which will enable them to meet law school standards (d) Even after admission to law schools their poor educational background makes it extremely difficult if not impossible for them to keep up with standards so that they need training (e) of course scholarships are terribly important and (f) scholarships alone are not sufficient since most of the........ ...... they come from cannot give them the day to day expenses that students need in order to complete a law school career.

Thus a Six point Program would seem to be in order where prefaced by making available to a Negro community in the Negro areas of our country, and to the persons who require legal assistance, a large number of lawyers coming from the minority peoples of the country.

A. The old method of recruiting students for law schools clearly are of very little value to the student no matter how well motivated whose training has been so bad that he or she cannot pass the test known as LSAP. A bright person could achieve a low LSAP result and therefore under almost every circumstance be inddmissible to any but the weakest law schools in the country. From our information it is reasonably clear that to achieve reasonably good LSAP result, one must have had the kind of preliminary training that one receives in a medium to better college. Of course very few Negro students have had this therefore ~~two~~ new methods rather than LSAP results have to be found. At the present time law schools are geared to LSAP results by and large, but there is nothing that I know that is written in the bible that requires this. ~~it.~~ This is the artificial limiting factor which has excluded so many people who might for some other reason be qualified./ That This is not an adstract idea can be seen from the Harvard results. Harvard a couple of years ago went out of its way and recruited by a variety of means some 80 to 90 students to attend a weeks period of session at Harvard Law School. 80 From my information, none of these students or very few if any, [illegible] could have been acceptable to the normal LSAP means. Ye at the end of this short period time Harvard saw fit to accept some 9 or 10 of this group. What Harvard was doing was saying that not that they were lowering their standards to meet a special circumstance but they took recognition of the fact that other methods of selecting students were available and could bring about useful results. In this case their teachers having seen this groupx of nine or ten and having evaluated their motivations/ and their current ability to go forward with the education they decided to accept them. This is a terribly useful fact. In other words if SEDFRE through its channels were to locate students who appear to be motivated to attend law school then we ought to summarily develop a program of convincing one or more law schools to have a short trial period if you will of determining which of these students were rightly candidates for graduation seven years hence. While this is a most ....method of selecting students the in the long run it is probably a better method than the artificial ~~LAS~~ LSAT impersonal way of selecting students. It may require more effort on the part of those interested in the program but the results may be worth that effort.

B. Once this group is selected, in cooperation with the academ

part of any particular university interested in the program or there ought to begin a fairly intensive period of study geared to bring a student in a short time up to a level where he is capable of reading and digesting the kinds of material that a law school classroom will require it would be important that the law schools not be required to lower their standards . The provisions in A above and here in B are designed first of all to find a new but reasonably good standard of selecting students and B to make them ~~is~~ able to function at the law schools own level. Dropping the standards of the school for no useful purpose neither that of the school ~~m~~ nor the student body of the school nor the person they are particularly concerned about and eventual not of the future clients of the students we are concerned with.

C. Once the student has been admitted to school it is absolutely essential that he receive the kind of close assistance ~~that~~ which will enable him to keep up with the school work this will be particularly true ~~to keep up with the~~ of the first year and should gradually taper off. It has been said publicly, that this will create apsychological burden upon the Negro student ~~and he~~ since he will be receiving assistance whereas the others attending the school will not. While there may feebly be some truth to that, what are the alternatives to let him flounder and risk almost certain failure? I t would hardly be wise to risk that kind of psychological question which will be far worse than the other in my view. It would see that if this tutorial program is presented in the right light so that the student understands that it is not a permanent crutch but a menas to enable him gradually to weave himself into the fabric of the class, hopefully it would reduce the psychological barrier that has been publicly referred to. Certainly it can be said that if the student needs this crutch forever then perhap ~~m~~ law is the wrong profession, but a closely watched tutorial system should enable the student ot meet the standards that the university itse has set. It would be far worse to lower the standards of that universit

D. As part of this program naturally scholarships would have to be available to practically all those in the program. Very few if any will have the financial means to attend school without a scholarship and those who have such means are not likely to need this program since persumably they have been able to have the educational background regardless of their personal skills so as not to require the assistanc of this kind of program.

E. Another part of the program of course involves the .... of financial assistance that will enable the student to live on a day day basis. Coming from dreadfully poor families as inevitably all wil a scholarship alone will not be sufficient. They will have to have so backup support;room rent miscellaneous clothing, food.

Clearly this kind of a program will require the kind of a cooperation not only of SEDFRE, to develop the techniques of recruitin well motivated students who might not be able to meet the standards un the LSAT test, but also of a great university willing to undertake tha part of the program that relate to the development of the individualized technique of attempting to determine which students are good law ~~sgx~~ school material.(In the A,B,C,D, just discussed above, I omitted what should have been B.there namely the preliminary program by the law sch to evaluate the students recruited by SEDFRE, we will insert this at later draft.)

prior to the program (b A B) first paragraph

have
The great university will decide not only then which students ahve the potential, but the nature of a program that is required by way of a crash activity to help the student develop the skill so that he can begin the law school program, this means if necessary improving his reading skills, his ability to evaluate reading so that when he is confronted with the kind of problems that come about the first day in law school he will have some ability to handle them. The university wi also be terribly important in heading up the tutorial system after admission to make certain that the student is able to keep up with his work because once he gets behind, then it is too late to try to tutor him. The tutoring has to be on a week by week basis so we make certain (a. that he is up to date and (b whether it is impossible to get up to date. Instead of forcing the student to emotional turmoil the weekly tutoring will tell us theses two factors and enable us to determine or help him keep up or alternatively whether it is impossible for this particular student in the program. The other facets of the programs the scholarships and the financial assistance persumably will have to

foundation willing to participate in this kind of an experiment.

All in all, a program of this kind while experimental would appear to have a much greater degree of possibility of success than any program designed to lower standards of a university. Lowering standards in my view create all kinds of psychological barriers and would not develop the kind of trained lawyer that is needed. We need not only more lawyers, but reasonably skillful ones and ones reasonably devoted to thexx people in their community.

Draft Copy
Not for Publication

Prepared by:
Carl Rachlin
Legal Director
Scholarship, Education + Defense Fund for
Racial Equality, Inc.

August, 1967

What You Should Know About The Operation Of The Narcotics Control Act Of 1966 (Article 9 of the New York State Mental Hygiene Law) - A brief summary of the "Provisional Guidelines for Implementation" issued by the New York State Narcotic Addiction Control Commission, prepared for both lawyers and laymen.

The Narcotic Control Act of 1966 sets up a comprehensive scheme for the commitment, treatment, and rehabilitation of narcotics addicts. (This pamphlet shall not attempt to deal with the constitutionality of the confinement procedures of the act.) The Act establishes three basic types of commitment:

1. Civil commitment (section 206 of the Act);
2. Civil commitment before conviction for a crime (section 210);
3. Criminal commitment after conviction for a crime (sections 207 and 208).

Civil Commitment (Section 206) -

To institute proceedings for civil commitment under section 206, the addict himself, a relative, friend, or some other person, files a petition for civil certification of the alleged addict with a supreme court justice or a judge of a county court. Such filing is accomplished by completing form NACC-Cv 1, submitting 2 copies to the court and sending one copy to the Narcotic Addiction Control Commission (the address is printed on the form). Such forms may be obtained from any local police precinct house or from any state Narcotic Education Center. The Narcotic Education Centers are designed to aid those seeking to file petitions, and to answer questions. Their addresses are listed at the end of this pamphlet. It should be stressed that proceedings instituted under the civil commitment section are not in any way of a criminal nature.

Section 201 of the Act defines a narcotic addict as one "DEPENDENT" upon opium, heroin, morphine, or any derivative or synthetic drug of that group, or one who is in "IMMINENT" danger of becoming dependent upon such a drug.* The precise meaning of the terms in this definition is vague and undoubtedly will be the subject of much litigation. ~~before their its meaning is clarified.~~ Who should file a petition, or whether a petition should bee filed are difficult questions.

*Note that marijuana, cocaine, hallucinagens (such as L.S.D., D.M.T., peyote, mescaline), amphetamines, barbiturates, doriden, and tranquillizers, are not narcotics within the terms of the statute.

upreme court justice or county court judge find reasonable grounds to believe that the accused is a narcotics addict, he may order the alleged addict to take a medical examination. After such a compulsory examination,* the judge or justice will receive a medical report. If he is then satisfied that there exists reasonable cause to believe that the person is a narcotics addict, the justice or judge must so inform the one charged. * for which a warrant of arrest may be issued, should the alleged addict not appear.

The judge must then inform the accused that if he is found to be a narcotics addict, he may be confined for an indefinite period not to exceed three years, that the accused has a right to a full judicial hearing, and that he has the right to the assistance of counsel~~, and that~~ at every stage of the proceedings, and that if he is financially unable to obtain counsel, that counsel will be provided free of charge. If no hearing is requested, the judge may then certify the accused to a period of care and custody with the Narcotic Control Commission. The period of commitment lasts either until the patient is discharged as rehabilitated, or for not more than three years from the time of certification.

Should a hearing be requested, section 206.4(c) provides that said hearing shall be held before a judge or justice (there is no provision for a jury trial). In addition to the accused's right to the assistance of counsel, and his right to have counsel provided if he is financially unable to obtain counsel, the accused may subpoena witnesses, present witnesses in his own behalf, and cross-examine opposing witnesses.

If the judge determines "from the facts ascertained upon the hearing, the proofs produced, the petition, and the report of the medical examination" that the accused is a narcotics addict, the judge may certify the addict for treatment under the care and custody of the Commission, for a period not to exceed three years.

When the accused is so certified, and the original petition has not been filed by the accused or by a friend or relative on his behalf, the certified addict may, within 30 days, apply for a rehearing in the Supreme Court with a different justice presiding, and with the right to a jury trial, and presumably with the right to all the safeguards provided by law. Who has the burden of proof as to what must be proved is not clear from the statute, although, where the alleged addict is contesting civil commitment, the burden would seemingly be upon those urging civil commitment.

It appears that a writ of habeas corpus contending that an addict is improperly confinedx is always in order, at any stage of the confinement. The act does not spell this provision out however. Further, there is no provision for review, periodic or otherwise, of the case of a confined person. These gaps in the act may create constitutional issues in the future, and can be teated by habeas corpus.

The act specifically preserves all the addicts civil rights, both state and federal, including the right to vote. This is spelled out to make it clear that the above proceeding is not of a criminal character. Unless the defendant otherwise requests, all proceedings, petitions, and reports shall be closed and sealed to all but the parties and persons with court orders. Note that no person participating in a narcotic addict rehabilitation program in facilities or services approved by the commission nor anyone with a criminal action pending against him may be committed under this section.

Civil Commitment Before Conviction For A Crime (Section 210) -

Section 210 of the act provides that a person arrested and charged with certain felonies, misdemeanors, or the offense of prostitution may, if he meets certain requirements, apply for civil certification by the court. If the arrested person is so certified, the criminal charges must be dropped and he is given civil treatment.

To be eligible for civil treatment under section 210, although charged with a crime, the defendant:

1. must not previously have been convicted of a felony;

2. must not previously have been certified to the commission;

3. must not be charged with a crime which is punishable by sentence of death or life imprisonment and;

4. must, if charged with a felony, receive the district attorney's consent to such certification.

Should the court decide to accept the application and certify the defendant to civil treatment, it must do do under the provisions of section 206 (above). Since the criminal charge must be dropped, the addict is strongly encouraged to admit his addiction and thus escape criminal conviction. By choosing this path however, the defendant waives any right he has to a jury trial since he is never tried for the original crime and has automatically waived a review by a jury trial under section 206, referred to above. It would appear that the court has the discretion to refuse to accept the accused person's application for civil treatment. Such a refusal, however, does not prevent the court from invoking sections 207 and 208 which allow for certification as a narcotics addict *after conviction* as an alternative to the usual criminal sentence.

Criminal Commitment To A Narcotics Institution, After Conviction For A Crime, As An Alternative Sentence (Sections 207 and 208) -

1. Pre-trial Examination.

Under section 207 of the Act, every person charged with a felony, misdemeanor, or the offense of prostitution, who, while in custody or while before the court, "states, or shows," that he is a narcotics addict, or it "otherwise appears" that he is a narcotics addict, shall be compelled to undergo a medical examination. All police records and observations of the accused are made available to the examiners and a report of the exam will be given to the court,, the defendant, and the district attorney. Section 207.5 stipulates that nothing said by the defendant to the medical examiners may be used against him in any way whatever at the trial, but that it may be considered in passing sentence (see below). There seems to be no clear statement in the act about the derivative use of evidence or statements obtained through the medical examination.

2.Proceedings After Defendant has Pleaded Guilty or has been Found Guilty.

Should the defendant be found not guilty, it is then only possible to commit him civilly under section 206 proceedings outlined above. Where the defendant has pleaded guilty or has been found guilty of the crime charged, the court must receive the medical report before it passes sentence. If the judge finds no reasonable cause to believe that the prisoner is a narcotics addict (based upon the report and other evidence), he must sentence the prisoner according to law. If he finds however that there is reasonable cause to believe that the defendant is a narcotics addict, he must notify the defendant, giving him the opportunity to admit or deny the addiction. If the defendant admits the addiction, he shall be sentenced as an addict (see below). If the defendant does not admit the addiction, a hearing is provided before the judge (without a jury), at which hearing the state must prove that the prisoner is an addict by a fair preponderence of the evidence. All evidence shall be admitted at the hearing and the exclusionary rules of evidence do not apply. However, the defendant may confront and cross-examine witnesses as at a criminal trial. If the court finds that the defendant is not an addict, he will be sentenced according to law. If the court finds that thee defendant is an addict, he shall be sentenced as an addict (see next paragraph). Note that this provision for commitment as an alternate sentence has no application where the sentence fixed for the crime is death or life imprisonment.

A person found to be a narcotic addict through the above procedures, who has been found guilty of a felony, misdemeanor, or the offense of prostitution, shall be sentenced as follows:

1.Where the original offense was a misdemeanor or the offense of prostitution, the defendant shall be certified to the narcotics commission (committed) for an indefinite period not to exceed 3 ~~5~~ years~~;~~. He may ~~to~~ be released when cured, or at the end of the 3 ~~5~~ year period.

2.Where the original offense was a felony, the defendant may either be committed, for an indefinite period under the jurisdiction of the state department of correction, or may be certified to the narcotics commission (committed) for an indefinite period, not to exceed 5 years; to be released when cured, or at the end of the 5 year period.

All commit~~t~~ments under this portion of the act are deemed judgments of conviction.

General, Powers of the Commission -

The act preserves "youthful offender treatment" with certification to the commission~~s~~'s custody allowed as~~a~~n alternative sentence as in section 208.

Nowhere in the act are the discretionary powers of the judge or justice described. This should be another area subject to much litigation.

The act establishes a 5 member Narcotic Addiction Control Commission to provide adequate services and facilit~~y~~es for the treatment and rehabilitation of narcotics addicts and to promote public education and prevention of narcotic addiction.

The commission may establish regulations and standards for custody, release, aftercare, and aftercare supervision of addicts certified to its care under the act. Scant treatment is given in the act itself to these regulations and standards or to the services,facilities, and programs to be made available. The commission is empowered "to order any narcotic addict from aftercare supervision to impatient treatment." No procedural safeguards are provided in the act for return to impatient treatment (even after the 3 or 5 year period is up) nor are there any guidelines set forth that indicate in any way when a person is "cured" or when he is entitled to aftercare treatment. A recent amendment to ~~the act~~ [illegible] ~~the act gives the commission~~ power to refuse to consent to the certification of any addict. This is an unusual and possibly dangerous provision since under section 208, a person may be induced to plead guilty in order to receive the ~~[illegible]~~ commission.

See end of p. 7.

What Happens To The Addict After He Has Been Committed

Unfortunately, little has been published on this question.by the State Commission. Since there is no known "sure" cure for narcotic addiction, very ~~much~~ many of the programs are and will be set up on an experimental basis. The commission plans to make use of a wide variety of facilities (educational, vocational, group-therapy, hospital) and programs (including both thereputic and maintenance programs). Some addicts may be sent to correctional institutions (prison facilities) although the act prohibits those civilly committed from being sent there. Many ~~may~~ will be sent to hospital institutions, and open community based facilities, others may be placed almost immediately in open community based aftercare programs. Apart from the normal thereputic rehabilitation programs, and the maintenance (methadon)treatments, the commission hopes to set up a number of thereputic-community based "group-therapy"model programs. As of yet,however, the details of the programs available and procedures for sending addicts to various centers according to their needs, have not been made public. It is certain that the addict cannot chose what facility he wishes to go to, and ~~any~~ if no one who is committed to the commission, even by his own voluntary petition, will be allowed to leave the program.

It has been estimated that in patient care should last, on the average, for nine months, followed by aftercare treatment. While actual physical dependence upon narcotics may last for as short a period as three weeks, "psychological dependence" may last much longer. This concept will likewise raise many problems including legal problems before it can be clarified. The commission's programs are of necessity ~~geared to~~ directed toward abstinence or withdrawl (except for maintenance (methadon) treatment) ~~since~~ because of the laws against narcotics possession. From a legal standpoint, it very unfortunate that the procedures after commitment are so vague and ill defined.

Effective Dates -

The act generally becomes effective April 1, 1967 except that the provisions with respect to mandatory medical examinations and mandatory sentences (sections 207 and 208) apply to defendants for felonies,misdemeanors,and prostitution (except narcotic crimes) ~~only a~~ committed only after October 1, 1967. Those arrested and convicted of narcotic crimes committed after April 1,1967 are eligible to receive an alternate sentence under sections 207 and 208.

Narcotic Education Centers -

Brooklyn	531 Eastern Parkway	439-6370
Bronx	1363 Jerome Avenue	991-1631
Buffalo	1312 Jefferson Street	882-0800
Manhattan (Central Harlem)	25 West 125th Street	534-2400
Manhattan (East Harlem)	2127 Third Avenue	427-6868
Manhattan (Lower East Side)	180 Avenue B	673-3770
Middle Parkway	507 Columbus Avenue	799-6940
Queens (Jamaica)	89-08 Sutphin Boulevard	739-1130

Add new paragraph on page 6, after line 9.

¶ A recent amendment to the act (March 27, 1967) gives the commission power to refuse to consent to the certification of any addict. This is an unusual and possibly dangerous provision since under Section 208, a person may be induced to plead guilty in order to receive the alternate sentence of commitment. The amendment provides that one who is refused certification by the commission must receive the usual penal sentence.

in Case

By NICHOLAS HORROCK

The alley has no name. It is 90 feet of zigzagging rash-strewn brick running off of ark Road nw. and during the arly evening of Sept. 8, 1965, it as the make-shift football field or four youngsters.

When darkness fell that night, he alley had become a rallying oint for a near-riot and a ymbol in that most sensitive ty problem of our time, the elationship between Negro itizen and the white policeman.

Yesterday a District Court ry ended part of the story that arted in the alley. After less an 90 minutes of deliberation, ne Negro and three white rors voted to clear Michael orman, a 22-year-old Negro, of arges that he assaulted a strict policeman.

SECOND TRIAL

"Should I faint now or later," asked no one in particular as jury filed out. It was the ond time he had faced trial the charge. Last year a jury adlocked 10 to 2 for acquittal.

n Sept. 8, 1965, two tactical ad police officers, Pvts. omas L. Troila and Edward E. ker, arrested four youngsters playing football in the alley, disorderly conduct charge. e of the boys was Mr. rman's cousin.

he police version of what pened was that Mr. Norman, n an Air Force enlisted man, proached them and rudely ed why they were holding his sin Pvt. Troila claims he Mr. Norman to take his stions to the 10th Precinct.

olice testified Mr. Norman motorcycle officer Walter G. rke in the face and they had subdue him and handcuff

n both trials, Mr. Norman ified the officers hit him t, took him to the station se, handcuffed him to a iator and beat him again.

n the hours following the cident, an angry crowd hered and marched on the tion house. Violence was ned by efforts of NAACP ficials who moved about ming the crowd.

esterday, Judge Oliver sch called Mr. Norman to the ch after the acquittal and d him he hoped the young n would not become mbittered over this incident. u have a bright future and I pe you think in terms of the ure and not in the past."

Judge Gash told reporter that er reviewing the facts in the se he would have dismissed indictment.

Mr. Norman, now an gineering firm employe, has ed several officers for $30,000, aiming assault, battery and privation of civil rights. That se is still pending.

Norman in Alley Fight

A District Court jury yesterday acquitted Michael Norman, a 22-year-old Negro, of assaulting a white policeman almost two years ago when angry Park Road residents protested the arrest of four Negro juveniles for playing football in an alley.

Norman, who works as an engineering aide, said he was happy about the verdict and holds no grudges.

The jury of nine Negroes and three whites returned the verdict yesterday after deliberating 90 minutes. Several jurors surrounded Norman and his attorney, Hubert M. Schlosberg, after the verdict was read.

Trial Judge Oliver Gasch called Norman to the bench, shook his hand and said he hoped he was not embittered by the experience of arrest, indictment and acquittal.

Norman had been tried once before on the assault charge but the jury could not reach a verdict in what was reported to be a 10-2 vote for acquittal.

After considerable negotiation, U.S. Attorney David G. Bress decided last week to prosecute Norman again.

"This case should have been dismissed from the outset," said Judge Gasch yesterday

See NORMAN, B7, Col. 1

NORMAN—*From Page B1*

Second Trial Clears Norman in Alley Fight

after the trial, "but Mr. Bress saw fit in his discretion to prosecute it a second time."

Norman was charged with punching and kicking motorcycle officer Walter G. Rourke when the officer told him to move on after a large crowd of Negro residents gathered at a call box at Park Road and 14th Street nw., on Sept. 8, 1965.

Two other white policemen, Thomas L. Trolia and Edward E. Spiker had broken up a football game in a nearby alley and had taken four youths, one of them Norman's cousin, to the call box. District law forbids playing ball in any street or alley.

Trolia and Spiker testified that Norman struck Rourke in the face when he was told to move on. The policemen said they wrestled him to the ground, handcuffed him and sped away in a patrol wagon as the crowd of residents surged around the call box.

Later, more than 100 residents marched on the Tenth Precinct stationhouse, a few blocks away, flooded into the building, then finally dispersed at the pleas of an NAACP official.

A grand jury indicted Norman but refused to act against any of the policemen, despite NAACP claims of brutality.

Norman testified that when he asked the officers why his cousin was being detained at the call box, Trolia shoved him and at least two other officers began beating him with nightsticks. He said he was beaten again in the patrol wagon.

Although the criminal case against Norman is now over, Norman still has a $30,000 civil damage suit pending in court against several of the policemen. The suit alleges assault, battery and deprivation of civil rights.

Norman's defense was partially financed by CORE's Scholarship Education and Defense Fund for Racial Equality.

A Touch of Tolerance

The case of Michael Norman, a 22-year-old Negro accused nearly two years ago of assaulting a white policeman, has at last come to a conclusion which might have been reached long ago by the application of some patience and understanding. After a trial resulting some time ago in a hung jury—reportedly 10 to 2 in favor of acquittal—the U.S. Attorney decided suddenly and surprisingly last week to bring Norman to trial again. The jury this time reached an acquittal verdict in fairly short order. And U.S. District Court Judge Oliver Gasch, once a U.S. Attorney himself, said in plain language: "This case should have been dismissed at the outset."

The case arose out of an unfortunate incident in an alley when police broke up a football game and took four youngsters, one of them Norman's cousin, into custody. The law in the District of Columbia majestically forbids black and white, rich and poor alike, to play football in its byways. Norman, a serviceman, asked the police why his cousin was being held, and a fracas which might well have worked itself up to a riot ensued.

The police can hardly be credited with brilliant community relations from start to finish. And the U.S. Attorney's office can hardly be said to have improved the situation. An ounce of forbearance as is so often the case, might have been worth a pound of punishment in this matter.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) Criminal No. ______
MICHAEL NORMAN,)
Defendant.)

MOTION TO DISMISS THE INDICTMENT

The defendant, Michael Norman, by his counsel, moves that the indictment in this case be dismissed. The motion is made on the ground that this prosecution is being conducted in retaliation for the action of the defendant in filing a civil suit against the police officer whom the defendant is accused of assaulting, and against other police officers, some of whom testified against the defendant at an earlier unsuccessful prosecution of this same criminal case, and some of whom are being defended by the Corporation Counsel of the District of Columbia in the civil suit.

In support of this motion, the defendant submits the attached memorandum, and requests that the Court either:
(1) rule that the undisputed facts now on the record establish that this is a retaliatory prosecution, or (2) grant the

defendant an evidentiary hearing to present additional evidence to prove that this is a retaliatory prosecution.

HUBERT M. SCHLOSBERG
I.T.T. Building
1707 L Street, N.W.
Washington, D.C.
Attorney for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Criminal No. ______
)
MICHAEL NORMAN,)
)
Defendant.)

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE DEFENDANT'S MOTION TO DISMISS THE INDICTMENT

The defendant has moved to dismiss the indictment charging him with assault upon a police officer on the ground that the prosecution has been rescheduled in retaliation for the filing of a civil suit by the defendant against a number of police officers, including those who are the defendant's accusers in this criminal prosecution. Five of the police officers in the civil suit are being defended in that suit by the City's other prosecutor, the Corporation Counsel of the District of Columbia.

The chronology of events, including the repeated postponements of the reprosecution of this case until soon after the filing of defendant's civil suit against the police, demonstrates that this prosecution is in retaliation for the filing of the civil suit, and hence must be dismissed. However, if more proof is deemed necessary, the defendant requests an evidentiary hearing to present additional evidence, as set out in this memorandum.

SUMMARY OF ARGUMENT

A criminal prosecution in an effort either to retaliate against or to harass a person for having filed a civil suit against the police is a violation of the constitutional rights to freedom of speech, right to petition the Government for redress of grievances, the privileges and immunities of national citizenship, and the right not to be deprived of property without due process of law.

Despite the great latitude normally allowed in the exercise of the prosecutor's discretion, a prosecution for the unlawful purpose of interfering with or retaliating against the exercise of constitutional rights is improper, and the courts have the power and the duty to dismiss such a prosecution. In exercising his discretion, the prosecutor must base his decision on the merits of the case and on the public interest in a prosecution. It is improper and unlawful for the prosecutor to proceed in an effort to protect the private interests of police officers subject to civil liability, and to intimidate, interfere with, and retaliate against persons in the exercise of their constitutional right to sue police officers.

STATEMENT OF FACTS

1. Incidents Leading to the Charge.

On September 8, 1965, two police officers of the Metropolitan Police Department arrested four boys, one aged 16, two aged 14, and one aged 12, for playing football in an alley near 14th Street and Park Road, N.W., in the District of Columbia.[1] The police officers took the four boys to a nearby police call box to obtain transportation to take the boys to the Tenth Police Precinct stationhouse. (Tr. I:32; II:23; IV A:125-126).[2]

A number of persons, including neighbors, relatives, and friends, gathered at the corner, apparently concerned as to why the children had been arrested. (Tr. I:41). A number of other police officers arrived at the scene in a patrol wagon, a motorcycle, and several scout cars. (Tr. I:33, 88-90; II A:42; IV A:119-121).

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[1] See D.C. Code §22-1108, carrying a maximum penalty of a $5.00 fine.

[2] References are to the several volumes of the transcript of the initial prosecution, United States v. Norman, U.S. Dist. Ct., Crim. No. 1333-65, March 25-31, 1966.

The defendant, Michael Norman, an older cousin of Cesar Day, the oldest of the four boys arrested, inquired about the arrest. The police officers testified that defendant refused their orders to "move on"[3] and then assaulted them. (Tr. I:34-37,39, 83-84; II:27-28; II A:84-85). The defendant, Cesar Day, and several disinterested witnesses, on the other hand, testified that the police pushed defendant back, and, when he continued to inquire about the arrests, seized and struck him with police sticks and blackjacks. (Tr. III:55-58; III A:76-88, 156-159, 170, 172-176; IV:36-38, 45-49). Cesar Day was also seized and struck when, according to his testimony, he went to shield and protect Norman against the blows, since Norman had fallen and was bleeding and unconscious. (Tr. III A:160-161). The police also accused the 16-year old Day of assaulting an officer. (Tr. II:30; II A:77).

Norman and Day were taken to the Tenth Precinct stationhouse in a patrol wagon, and were held there for several hours without medical treatment. A group of persons arrived at the stationhouse several hours after the arrests at 14th Street and Park Road, protesting the arrests and the failure to provide medical treatment to Norman and Day, both of whom had been injured and taken from the scene bleeding. Finally, Norman and Day were taken to the hospital. (Tr. III:63-66; III A:88, 121-122; IV:59-63; IV A:133-134).

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[3] On June 23, 1966, Norman was convicted of "failure to move on" and fined $25.00. None of his witnesses in the assault trial testified in the "failure to move on" trial. This use of the "failure to move on" law was criticized in the recent Report of the President's Commission on Crime in the District of Columbia, p. 209 (Dec. 15, 1966):

> "Complaints have ... been heard regarding police conduct when an arrest has been made. Friends of the arrested person or bystanders who inquired of the police have been told to leave the scene, sometimes under threat of arrest themselves. The arrested person, we are advised, was not allowed to talk to friends or anyone present."

The case caused a good deal of public comment with charges of police mistreatment and counter charges of near riot. A high ranking Police Department official charged the arresting officers with poor judgment, one of these officers was immediately transferred, the N.A.A.C.P. called for disciplinary action against some of the police officers involved, and a United States Senator intervened.[4]

2. The First Unsuccessful Prosecution.

The present prosecution of defendant Norman on a charge of assaulting a policeman is based on the events at 14th Street and Park Road just described. The grand jury indicted Norman on December 20, 1965.[5] On March 25, 1966, the first prosecution of this case commenced. On March 31, 1966, the prosecution concluded in a mistrial when the jury was unable to reach a verdict. At the time of the dismissal, the jury had come close to acquitting the defendant, voting 10 to 2 for acquittal (Exhibit 1, paragraph 4).

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[4] See, e.g., The Washington Post, September 10, 1965, p. B-1, September 11, 1965, p. B-4, September 24, 1965, p. B-1, November 11, 1965, p. A-1; The Washington Evening Star, September 9, 1965, p. A-1; and the Washington Afro-American, January 8, 1966, p. 1.

[5] The grand jury "almost invariably" returns those indictments which the prosecutor seeks. See Kaplan, The Prosecutorial Discretion, 60 N.W. Univ. L. Rev. 174, 177 (1965).

3. Dismissal of the Assault Charge by the Juvenile Court.

On August 12, 1966, the Juvenile Court of the District of Columbia dismissed the assault charge pending against Cesar Day, without conducting a trial. On the basis of statements by neighbors, school teachers and ministers, and the Court's staff investigation report, indicating that Cesar Day was a promising youngster; that he was liked, respected, obedient, respectful, and had never before been in any trouble; and that he was enrolled in a pre-college training program, the Court determined that "there was nothing to indicate that the respondent is a child who needs the continued care, protection, or supervision of this court" and dismissed the case (Exhibits 2 and 3).

4. Repeated Postponements in Rescheduling the Assault Charge.

Following the jury's 10 to 2 vote to acquit the defendant Norman of the charge of assaulting a police officer, the United States Attorney's Office, without objection by the defendant, postponed a retrial of the criminal case several times, finally postponing it indefinitely (Exhibit 1, paragraph 6). These postponements were to give the United States Attorney additional time to consider whether to dismiss the case. (Exhibit 1, paragraph 7).

5. The Filing of Defendant's Civil Suit against the Police Officers and the United States Attorney's Decision to Re-prosecute the Assault Charge.

On September 7, 1966, five months after the mistrial, and one day before the District of Columbia Statute of Limitations would bar the defendant's right to sue, the defendant filed in the Civil Division of this Court a civil suit (No. 2367-66) against a number of police officers, charging them with assault and battery, denial of medical treatment, and deprivation of civil rights, based on the September 8, 1965 incidents at 14th Street and Park Road and at the Tenth Precinct stationhouse. (Exhibit 1, paragraph 8; Exhibit 4).

On September 27, 1966, the District of Columbia Board of Commissioners authorized the Corporation Counsel of the District of Columbia to defend the police officers in the civil suit. (Exhibit 5). Subsequently, the Corporation Counsel entered an appearance on behalf of the police defendants in that suit. (Exhibit 6).

In the first week of November, 1966, seven months after the initial unsuccessful prosecution of the defendant on the assault charge, and less than two months after the defendant was compelled by the Statute of Limitations[6] to file his civil suit against the police officers, the criminal charge against defendant, which had been postponed indefinitely, was rescheduled for prosecution. (Exhibit 1, paragraph 10).

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[6] Section 12-301, D.C. Code, provides a one year statute of limitations for assault and battery and other intentional torts.

On January 27, 1967, the Corporation Counsel served notice for the taking of defendant's deposition in the civil suit. On February 9, 1967, the Corporation Counsel expressed his objection on the record to delaying the taking of defendant's deposition. (Norman v. Trolia, U.S. District Court, Civil No. 2367-66, Deposition, pp. 1-5, February 9, 1967.)

ARGUMENT

I.

A PROSECUTION INSTITUTED TO PROTECT POLICE OFFICERS FROM CIVIL LIABILITY IS IMPROPER AND MUST BE DISMISSED.

It has long been recognized that the prosecutor's discretion must be exercised free of any concern for private interests, unrelated to the merits of a prosecution. Yet, in the District of Columbia it has been the practice in the past for both the United States Attorney's Office and the Office of the Corporation Counsel to require a release of civil claims against the arresting policeman as a condition to the entry of a *nolle prosequi*.[7]

Such a practice has been specifically condemned by the Virginia State Bar Legal Ethics Committee (Opinion No. 131, approved by the Virginia State Bar Council, October 25, 1963, reported in Virginia Bar News, Dec., 1963, p. 3):

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[7] See, e.g., The Washington Post, July 10, 1963, p. B-1.

> "[T]he Commonwealth's Attorney should not civilly represent the arresting officer or a complaining witness either aggressively or defensively, in any matter in which a prosecution is still pending. The stipulation for full and formal release of the arresting officer by the accused as a condition precedent to a nolle prosequi would appear to be violative of this principle."

The Virginia Ethics Committee condemned equally the retaliatory prosecution (Ibid):

> "[I]t would be improper for the Commonwealth's Attorney to allow his discretion in the matter of a nolle prosequi to be influenced by the desire to protect and exonerate the arresting officer from civil liability."

In February, 1964, the President of the Board of Commissioners of the District of Columbia expressed his disapproval of the practice of requiring a release of civil claims against the police as a condition to nolle prosequi. Commissioner Tobriner stated:

> "The Corporation Counsel has advised me that this procedure was adopted some time ago by the Assistants in the Law Enforcement Division of his office, but that it originated in the office of the United States Attorney .... Indeed, it is said that the forms of release used in such cases are furnished by the U.S. Attorney's office."
>
> "I am further advised by the Corporation Counsel that he is in complete agreement with the proposition that the execution of a release of claim against an arresting police officer should not be a quid pro quo for the dropping of a prosecution, that he recognizes a release obtained under such circumstances is legally of no value, and that the decision to enter a nolle prosequi should have its basis in the facts of the case."

> "The Corporation Counsel states that he has issued directions to his staff forthwith to discontinue the practice of demanding releases in exchange for the dropping of charges, and not to allow their discretion in the matter of a nolle prosequi to be influenced by a desire to protect and exonerate the arresting officer from civil liability."[8]

Despite this statement, the prosecutors of the District of Columbia have in recent years violated these principles. Indeed, it was with the cooperation of the Office of the Corporation Counsel, a co-prosecutor and defense attorney in the civil suit in the instant proceedings, that the Police Department was able until 1964 to institute retaliatory "false report" prosecutions against almost 40% of those who filed complaints against the police.[9] More recently, the City's prosecutor has been judicially and publicly chastised for such practices.[10]

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[8] Letter to the National Capital Area Civil Liberties Union, February 3, 1964, a copy of which is attached hereto as Exhibit 7.

[9] See National Capital Area Civil Liberties Union, Report on Complaint Review Board (June 13, 1964); Brief for Appellant in Butler v. District of Columbia, 120 U.S.App.D.C. 317, 346 F.2d 798 (1965), at pp. 39-41; Cray, The Big Blue Line, 176-180 (N.Y.: Coward-McCann, 1967).

[10] See District of Columbia v. Dixon, D.C.App. No. ____; The Washington Post, October 1, 1966, p. A-1 and December 7, 1966, p. A-1.

These practices also provoked criticism from the President's Commission on Crime in the District of Columbia:

> "The apparent use of prosecutive authority to retaliate against persons who file complaints against the police is intolerable." (1966 Report, p. 338).

The courts have recognized these principles by condemning the mingling of private with public interests in the exercise of prosecutorial discretion. In Engle v. Chipman, 51 Mich. 524, 16 N.W. 886 (1883), in which the court denied compensation to a prosecutor who had conflicting private interests, the court stated (16 N.W. at 887):

> "The prosecuting attorney is a very responsible officer .... He is disqualified from becoming in any way entangled with private interests or grievances in any way connected with charges of crime. He is expected to be impartial in abstaining from prosecuting as well as in prosecuting, and to guard the real interests of public justice in favor of all concerned."

Convictions based on charges by "private" prosecutors have been reversed because of the inherent conflict between the prosecutor's public trust and his private interests. Perry v. Oklahoma, 84 Okl. Cr. 211, 181 P.2d 280, 286 (1947); Radford v. Oklahoma, 23 Okl. Cr. 407, 215 Pac. 218, 219 (1923)(prosecutors must "stand indifferent as between the defendant and any private interest").

In light of these admonitions from the courts, legal ethics councils, the Crime Commission, and the public, it ill behooves the prosecutors of the District of Columbia in the instant case to appear as defense counsel in a civil suit against policemen and at the same time to reinstitute a criminal prosecution on behalf of those policemen soon after the civil suit is filed.

In the words of the President's Crime Commission, this retaliatory prosecution is "intolerable" and the indictment should be dismissed.

II.

A PROSECUTION CANNOT BE CONDUCTED FOR THE PURPOSE OF INTIMIDATING OR PUNISHING THE EXERCISE OF THE CONSTITUTIONAL RIGHT TO SUE A POLICEMAN.

The right to seek civil redress in the courts without improper interference is a right guaranteed by the United States Constitution. The Supreme Court has suggested that the right to sue is one of the privileges of citizenship. The Slaughter House Cases, 83 U.S. (16 Wall.) 36, 79 (1872). More often it has been held that undue interference with the right to sue is a deprivation of property -- a chose in action -- without due process of law. See Coombes v. Getz, 285 U.S. 434, 442, 448 (1932); Angle v. Chicago, St. Paul Ry. Co., 151 U.S. 1 (1894). See also Gibbes v. Zimmerman, 290 U.S. 326, 332 (1933).

The right to sue government officials -- in the present case, police officers -- for wrongful actions under color of law may also be founded in the First Amendment protections of speech and petition for redress of grievances. Cf. People v. Johnson (Slip opinion, p. 4, Los Angeles County Court No. Cr. A-4520, May 29, 1961).[11]

A prosecution in retaliation for the exercise of this right is a violation of the Constitution.

Normally, the discretion of the prosecutor is broad and will not be reviewed by the courts. United States v. Cox, 342 F. 2d 167 (5 Cir. 1965), cert. denied, 381 U.S. 935 (1965). However, when an unlimited, lawful power is exercised for an unlawful purpose, the courts have not hesitated to enjoin the unlawful action. In United States v. Bruce, 353 F.2d 474 (5 Cir. 1965), it was held that a property owner may be enjoined from excluding an insurance agent from his land, where it was shown that the motive for the exclusion was economic retaliation for the insurance agent's voter registration activities. The court stated (353 F.2d at 476-77):

> "It may be that the court considered that since private landowners in Wilcox County have a right to exclude all persons from access to their property if they desire to do so, then the warning to Lonnie Brown [the insurance collector] could not be translated into illegal conduct, no matter what the motive."
>
> "[C]onduct that might be perfectly legal, if not colored by the bad intent of interfering with the right to vote, would become illegal upon proof of such illegal intent. Whereas a school board might...have legally failed to renew a teacher's contract for any reason or for no reason at all,

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[11] Unpublished opinion on file in the United States Court of Appeals for the District of Columbia Circuit, with the papers in Butler v. District of Columbia, 120 U.S.App.D.C. 317, 346 F.2d 798 (1965).

> if it in fact declined to renew the certificate as a means of coercing or intimidating the teacher as to her right to vote, such conduct would be prohibited by the Act. The rule would be the same in the case of economic sanctions by a landlord towards a tenant or by a landlord towards a person who had theretofore been given free access to enter as an invitee to interview the landlord's tenants."
>
> ". . .Thus, although the defendants here may have had an almost unrestricted right to invoke the Alabama trespass law to keep all persons from entering their property after warning, in the exercise of a desire to exercise exclusive ownership and proprietary interest in their property, they could not legally invoke the right of excluding Lonnie Brown, who had previously been given free access to the property, as a threat or means of coercion for the purpose of interfering with his right or the right of others whom he represented in exercising their right to register and vote."

Similarly, in Habib v. Edwards, (D.C. Ct. Gen. Sess., Civil No. LT 75895-65, October 28, 1965), nonacquiescing, ___ A.2d ___ (D.C.Ct.App., March 20, 1967), Judge Harold Greene, in a preliminary part of the proceedings, ruled that although a landlord can evict for no reason at all (Warthen v. Lamas, 43 A.2d 759 (D.C. Mun. App. 1945)), and normally evidence concerning the landlord's reasons for eviction is inadmissible (Fowel v. Continental Life Insurance Co., 55 A.2d 205 (D.C. Mun. App. 1947)), the court could not participate in an eviction motivated in retaliation for the tenant's exercise of constitutional rights. Judge Greene recognized that the highly valued right of private property was involved, but he stated (Memorandum Opinion, pp. 10, 15):

> "[T]he defendant in this case has a constitutional right to inform the proper governmental authorities of violations of the law, as well as the correlative right not to be injured or punished by anyone for having availed herself of her basic right to provide such information.

* * * *

> "That kind of distinction -- between action which is permitted when done for a lawful purpose but prohibited when done for an unlawful or impermissible purpose -- is not unusual.... In all such matters, the courts and the administrative agencies concerned have found little difficulty in distinguishing between the permissible and the impermissible." 12/

See also Tarver v. G & C Construction Corp., S.D.N.Y., Civil No. 64-2945, Nov. 9, 1964 (Unpublished) (injunction against retaliatory eviction); NLRB v. Lamar Creamery Co., 246 F.2d 8 (5 Cir. 1957) (retaliatory firing of employee held to be an unfair labor practice); Rudder v. United States, 96 U.S.App. D.C. 329, 226 F.2d 51 (1955) (prohibiting government eviction from public housing for refusal to sign loyalty oath); Lawson v. Milwaukee Housing Authority, 270 Wisc. 269, 70 N.W.2d 605 (1955) (same); Chicago Housing Authority v. Blackman, 4 Ill.2d 319, 122 N.E.2d 522 (1954) (same); Housing Authority of Los Angeles v. Cordova, 130 Cal.App. 2d Supp. 883, 279 P.2d 214 (1955) (same); Kutcher v. Newark Housing Authority, 20 N.J. Rep. 181, 119 A.2d 1 (1955) (same).

12/ This rationale was rejected by the District of Columbia Court of Appeals and the judgment of eviction was affirmed. Habib v. Edwards, ___A.2d___ (D.C.Ct.App., March 20, 1967). A petition for allowance of an appeal has been filed with the United States Court of Appeals for the District of Columbia Circuit. At an earlier stage, in which the U.S. Court of Appeals granted a stay of eviction pending appeal, Judge Skelly Wright, in a concurring opinion endorsed Judge Greene's ruling and opinion. Edwards v. Habib, D.C. Cir. No. 19812, Dec. 3, 1965.

The same principle -- that the exercise of a lawful power in an unlawful way will not be permitted -- was recently applied to reverse a conviction in an unlawfully motivated prosecution. In United States v. Lenske, 35 U.S. Law Week 2227 (9 Cir., Oct. 5, 1966), the court reversed a conviction for income tax evasion when it was shown that the prosecution was initiated in retaliation for the defendant's left wing views and activities. The court said:

> "Some element foreign to the functions and duties of a government tax officer was corroding (the special tax agent's) judgment.
>
> * * * *
>
> The Special agent had given his superiors express notice that he was confused with regard to his duties and with regard to the basic ideals of his government. Discarding two-and-one-half years of dedicated endeavor of the special agent would have been a small price to pay to get the government and its awesome taxing authority back on the path of fairness and decency....
>
> * * * *
>
> This court will not place its stamp of approval upon a witchhunt, a crusade to rid society of unorthodox thinkers and actors by using federal income tax laws and federal courts to put such people in the penitentiary. This court will not be so used...."

If the property owner's exercise of his non-governmental right to the exclusive use of his land is subject to scrutiny to protect Constitutional rights, certainly the prosecutor's exercise of his governmental power to prosecute is equally limited. And if a landlord-tenant court cannot permit its civil eviction even more jealously guard the proper use of its processes. Cf. Sorrells v. United States, 287 U.S. 435, 457 (1932) ("It is the province of the court ... to protect itself and the government from ... prostitution of the criminal law." Roberts, J., concurring).

The reprosecution of this case, in which the first jury voted 10 to 2 for acquittal, is in retaliation for the defendant's exercise of his constitutional right to sue police officers, and should not be permitted by this Court.

III.

THE RECORD OF THESE PROCEEDINGS DEMONSTRATES THAT THIS IS A RETALIATORY PROSECUTION. IF MORE EVIDENCE IS REQUIRED, THE COURT SHOULD GRANT THE DEFENDANT AN EVIDENTIARY HEARING.

The chronology of events in this case establishes on its face that this prosecution was rescheduled, after repeated postponements, soon after the civil suit was filed by defendant against the police officers. The delay in reaching the decision to reprosecute and the rescheduling only after the filing of the civil suit demonstrates clearly that this is a retaliatory prosecution. Indeed, the Court could conclude that the United States Attorney's action in prolonging his decision whether to reprosecute beyond the date on which the defendant was compelled, by the Statute of Limitations, to file his civil suit against the police officers, violated Rule 48(b) of the Federal Rules of Criminal Procedure and the defendant's Sixth Amendment right to a speedy trial. See Marshall v. United States, 119 U.S.App.D.C. 83, 337 F.2d 119, 122 (1964) (delay was "arbitrary", "oppressive, and vexatious"). The consent of the defendant to the repeated postponements was coercive in nature since the prosecutor employed the "stick and carrot" method of indicating that the delay was to give him more time to consider dropping the charge, and kept this up until the defendant had no choice but to file his civil suit or be barred.[13] These circumstances are aggravated by the appearance of the Corporation Counsel, the other arm of the prosecutorial machinery of this jurisdiction, as counsel for the police officer-defendants in the civil suit.

The defendant urges that no further evidence is necessary to establish the unlawful purpose of this prosecution. However, should the Court require additional evidence, the defendant is entitled to an opportunity to adduce such evidence at a hearing.

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[13] As indicated above, the defendant filed his civil suit against the police on September 7, 1966, one day before the 1-year Statute of Limitations was to take effect.

If such a hearing is required and granted, the defendant would subpoena the following witnesses and documentary evidence to establish the purpose in the rescheduling of this prosecution:

I. Witnesses

1. The United States Attorney
2. The Assistant United States Attorney in charge of this prosecution
3. The Corporation Counsel
4. The Assistant Corporation Counsel in charge of defending the civil action
5. Each of the 17 police officers who are defendants in the civil suit
6. The attorney representing the 12 police officers in the civil suit who are not represented by the Corporation Counsel
7. Captain Eugene Gooding, Metropolitan Police Department, Tenth Precinct.

II. Documents and Information

1. All memoranda and other writings, notes, documents, and written communications, and all memoranda, notes, documents, or writings concerning verbal communications, between the United States Attorney and the Assistant United States Attorney in charge of this prosecution concerning or referring by name or otherwise to this case.

2. All memoranda and other writings, notes, documents, and written communications, and all memoranda, notes, documents, or writings concerning verbal communications, between the

United States Attorney or any of his assistants and any other person concerning or referring by name or otherwise to this case.

3. Records of the Assignment Office of this Court relating to the scheduling, postponements, and rescheduling of this case, including records showing on what dates and by whom the various changes in schedulings were initiated.

4. The names of all criminal cases in this Court on which indictments were returned on or after April 1, 1966, and which have already been prosecuted in this Court, and in which the defendants were free on bail or recognizance prior to the date of trial.

5. A list of the criminal cases, including the following information on each case, in which the initial prosecution in this Court resulted in a mistrial due to a hung jury, during the five year period beginning with January 2, 1962:

(a) Name of case
(b) Offense charged
(c) Length of trial
(d) Number of jurors voting for acquittal, number voting for guilty, and number undecided at the time the jury was dismissed in the initial prosecution.
(e) Number of hours the jury was in deliberation in jury room in initial prosecution
(f) Defendant's prior criminal record
(g) Dropped or reprosecuted
(h) Length of time between trials in cases reprosecuted.

CONCLUSION

For the reasons stated, the indictment should be dismissed. In the alternative, a hearing should be held for the presentation of evidence as to the purpose of the reprosecution of this case.

Respectfully submitted,

/s/ Hubert M. Schlosberg
Hubert M. Schlosberg
I.T.T. Building
1707 L Street, N.W.
Washington, D.C.
Attorney for Defendant

March , 1967

CERTIFICATE OF SERVICE

This Motion to Dismiss the Indictment, together with the supporting Affidevit, Exhibits, and Memorandum of Points and Authorities, was served on the United States by the undersigned by mailing copies thereof, first class, postage prepaid, to William Collins, Esquire, Assistant United States Attorney, United States Court House, Washington, D. C., this __ day of March, 1967.

/s/ Hubert M. Schlosberg
Hubert M. Schlosberg

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) Criminal No. ______
MICHAEL NORMAN,)
Defendant.)

AFFIDAVIT

HUBERT M. SCHLOSBERG, being duly sworn, deposes and says:

1. My office is located at 1707 L Street, N.W., Washington, D.C.

2. I am the attorney for the defendant, Michael Norman, in the above captioned case, and have been his attorney in this case at all times since November 17, 1965.

3. On March 25, 1966, the initial prosecution of this criminal charge commenced in the United States District Court for the District of Columbia. The trial concluded on March 31, 1966, with a mistrial due to a hung jury.

4. On March 31, 1966, your affiant was informed by several members of the jury panel that at the time that a mistrial was declared, the jury had reached a vote of 10 to 2 for acquittal.

5. On March 31, 1966, the prosecution of this case was rescheduled for April 27, 1966.

6. On several occasions thereafter, the retrial of this case was postponed to other dates and finally was postponed indefinitely, at the request of the United States Attorney's Office and without objection by the defendant.

7. Your affiant was advised that the aforementioned postponements set out in paragraph 6 would give the United States Attorney's Office additional time to consider whether to reprosecute this case or to dismiss it.

8. On September 7, 1966, one day before the District of Columbia one-year Statute of Limitations (D.C. Code, Sec. 12-301) was to bar the defendant's claims from incidents occurring on September 8, 1965, the defendant, through attorneys John Karr and Glenn Graves, 625 Washington Building, Washington, D.C. filed in this Court civil action no. 2367-66 against 17 police officers, including all who appeared as prosecution witnesses in the first criminal trial. The suit charged assault and battery, denial of medical treatment, and deprivation of civil rights.

9. On September 27, 1966, the Corporation Counsel of the District of Columbia was authorized to enter an appearance in the aforementioned civil suit instituted by the defendant, as attorney for five of the defendant police officers in that civil suit, and subsequently did enter such an appearance.

10. In the first week of November, 1966, your affiant was informed that steps had been taken whereby the instant

criminal action would be reprosecuted in the early part of 1967.

HUBERT M. SCHLOSBERG

Washington :
: ss
District of Columbia :

Subscribed to and sworn before me this ____ day of March, 1967.

NOTARY PUBLIC

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

GLADYS ANNA HOLDEN,
5061 New Hampshire Avenue, N.W.
Washington, D.C.,

Plaintiff,

vs.

JOHN GARDNER,
Secretary
U.S. Department of Health, Education and Welfare
330 Independence Avenue, S.W.
Washington, D.C.

and

HAROLD HOWE II,
Commissioner of Education,
U.S. Department of Health, Education and Welfare
400 Maryland Avenue, S.W.
Washington, D.C.

and

JOHN W. MACY, JR.,
Commissioner
U.S. Civil Service Commission
Washington, D.C.

and

ROBERT E. HAMPTON,
Commissioner
U.S. Civil Service Commission
Washington, D.C.

and

LUDWIG J. ANDOLSEK,
Commissioner
U.S. Civil Service Commission
Washington, D.C.,

Defendants.

Civil Action No.
2889-67

COMPLAINT FOR DECLARATORY JUDGMENT, INJUNCTION, AND OTHER RELIEF

I.

Plaintiff is a resident of the District of Columbia. Defendants are officials of the United States of America who reside in the District of Columbia. The action arises in the District of Columbia under the Constitution and laws of the United States, and the amount in controversy exceeds $10,000, exclusive of interest and costs. Jurisdiction is based on 11 D.C. Code § 521, 5 U.S.C. §§ 701-06, and on 28 U.S.C. §§ 1331, 2201, and 2202.

II.

In this action, plaintiff seeks: a declaratory judgment that her dismissal as an employee of the Department of Health, Education and Welfare was unlawful; an injunction ordering her reinstatement; and other relief; on the grounds that her dismissal was in violation of her rights under the First and Fifth Amendments of the Constitution, in violation of the laws of the United States and regulations of the United States Civil Service Commission and the United States Department of Health, Education and Welfare, and in excess of Defendants' authority under law.

III.

Defendants John W. Macy, Jr., Robert E. Hampton and Ludwig J. Andolsek are the duly appointed, qualified and acting United States Civil Service Commissioners, constituting the United States Civil Service Commission (hereinafter called CSC), and as such have responsibilities for employment policies and practices of the United States regarding civil servants of the United States. Defendant John Gardner is the duly appointed, qualified and acting Secretary and highest officer of the United States Department of Health, Education and Welfare (hereinafter called HEW), and as such has responsibilities for HEW's employment policies and practices and for school desegregation. Defendant Harold Howe II, an agent of Defendant Gardner, is the duly appointed, qualified and acting United States Commissioner of Education and highest officer of the United States Office of Education (hereinafter called USOE), an agency of HEW and as such has responsibilities for employment policies and practices within USOE and for school desegregation.

IV.

Plaintiff is an experienced sociologist with a Master of Arts degree from the University of North Carolina (1955), further post-graduate study at the University of Michigan, and 16 years of extensive work experience, publications, reports, professional affiliations, honors and professional experience in race relations and civil rights, including school desegregation.

V.

On January 11, 1965, Plaintiff was appointed to the position of Education Research and Program Specialist, Grade GS-11, in the Office of Equal Educational Opportunities, the school desegregation program of USOE, HEW. Plaintiff was responsible for searching out and analysing research and educational materials for a clearinghouse of information pertaining to problems and progress of school desegregation, developing a research and materials library for the school desegregation program, preparing articles and reports, providing consultative services based on equal educational materials, and performing other similar duties. At all times while so employed, Plaintiff conducted herself properly and performed all her assigned duties thoroughly, efficiently, honestly, and capably, and worked well and harmoniously with her fellow staff members and supervisors.

VI.

Before her appointment and during all times herein material, Plaintiff was an active member of the Housing Committee of the Washington chapter of the Congress of Racial Equality, CORE, and as such took part in programs of CORE relating to the desegregation of housing in the Washington, D.C. area, including CORE's public demonstrations of a peaceful nature. These activities were not inconsistent with, and in no way affected, Plaintiff's employment or the work of USOE in which Plaintiff was engaged. Plaintiff believes, and, throughout the year of her employment by USOE, often expressed the view within USOE that USOE should take more affirmative action to desegregate the schools and that Negroes should have equal rights.

VII.

Defendant Gardner, through his agents, resisted Plaintiff's and others' suggestions that USOE should take more affirmative action to desegregate schools, and sought to prevent plaintiff and others from urging changes in USOE's policies. As a result of Plaintiff's activities and expressions and of similar activities and expressions by other staff members of USOE, Defendant Gardner, through his agents, initiated a pattern of intimidating, supressing and eliminating such staff members from the Office of Education.

VIII.

As a part of the aforementioned pattern and as a result of Plaintiff's active participation in public civil rights demonstrations and otherwise exercising her constitutional rights under the First Amendment, Defendant Gardner, through his agent and employee, David Seeley, then Acting Director of the Office of Equal Educational Opportunities, told Plaintiff on December 21, 1965 that he was recommending her dismissal from Government service. By letter dated December 28, 1965 and given to Plaintiff by hand on January 3, 1966, Defendant Gardner, through his agent David Seeley, dismissed Plaintiff as of January 7, 1966.

IX.

Plaintiff promptly sought to learn what procedures were available to review her termination and to avail herself of all such procedures:

(a) On January 7, 1966 Plaintiff wrote Defendant Gardner requesting a review and hearing, and requesting advice as to her rights of review and appeal within and without USOE and HEW, including any such procedures available within CSC. On January 10 and February 1, 1966, Defendant Gardner, through his agents, responded that Plaintiff had no right to a review or hearing within USOE or HEW, and that her only appeal lay through a complaint to CSC under 5 C.F.R. § 315.806, alleging that her termination was "based on political reasons not required by statute."

(b) Plaintiff timely appealed to CSC alleging that her termination was "based on political reasons not required by statute." On August 31, 1966 Defendants Macy, Hampton and Andolsek, through their agents, ruled that Plaintiff's appeal had not alleged facts and circumstances within the purview of 5 C.F.R. § 315.806. In so ruling, these Defendants, through their agents, found that "the organizational activities and affiliation supporting Miss Holden's complaint of political discrimination may be recognized as engaged in programs seeking to influence the formulation of public policy, and to promote political action, in the field of civil rights," but held that the term "political reasons" in section 315.806 applied only to "partisan political discrimination."

X.

Plaintiff was discharged because of her expression of political views.

(a) Her discharge for this reason violated the freedom of speech guaranteed her by the First Amendment of the Constitution of the United States.

(b) Her discharge for this reason also violated her rights under the Act of August 2, 1939, 5 U.S.C. § 7324(b) (Hatch Act), which provides that all employees in the Executive Branch of the Federal Government have the right "to express their opinions on all political subjects and candidates."

(c) Her discharge for this reason also constituted political discrimination forbidden by 5 C.F.R. § 713.401.

XI.

Plaintiff's discharge was illegal because it was accomplished without regard to procedural protections guaranteed Plaintiff, and others in her position, by the due process clause of the Fifth Amendment of the Constitution of the United States, and in violation of applicable laws of the United States and regulations of HEW and CSC, including but not limited to the following:

(a) Defendants Gardner and Howe, and their agents, failed to comply with required procedures designed to inform Plaintiff of her supervisors' evaluation of her performance and to give her an adequate opportunity to correct or explain the purported unsatisfactory conduct and character traits falsely attributed to her. As a result Plaintiff was denied "a full and fair trial" during her probationary period, in violation of due process and of Chapter V, Guide 1 of HEW regulations codified in the Personnel Guide for Supervisors.

(1) No signed statement certifying that Plaintiff's performance, conduct and general traits of character had been found unsatisfactory, or recommending that Plaintiff should not be retained beyond the probationary period, was prepared, discussed with Plaintiff, or submitted through supervisory channels during the ninth or tenth months of Plaintiff's probationary period. This failure was in violation of: the Act of September 30, 1950, 5 U.S.C. §§ 4301-07 (Performance Rating Act); Chapter 315, Subchapter 8-3(a)(5) of CSC regulations codified in the Federal Personnel Manual; and Chapter V, Guide 4, of HEW regulations codified in the Personnel Guide for Supervisors.

(2) Prior to the aforementioned conference of December 21, 1965, Plaintiff was never told of any shortcomings in her work, nor was there any performance evaluation or discussion thereof with her as part of the day-to-day work activities and supervision of Plaintiff. This failure was in violation of Chapter IV Guide 9 and Chapter V, Guide 4 of HEW regulations codified in the Personnel Guide for Supervisors.

(3) Plaintiff was never "given enough factual information about [her] performance or conduct so that the basis for the action is clear," in violation of Chapter VII, Guide 2 of HEW regulations codified in the Personnel Guide for Supervisors.

(b) Plaintiff was denied the rights of notice, detailed charges, and reply, in violation of section 6 of the Act of August 24, 1912, 5 U.S.C. § 7501 (Lloyd-LaFollette Act), and 5 C.F.R. § 315.805 (dealing with termination for conduct before appointment, as in the case of political beliefs and expressions held and made before appointment). Defendants Gardner's and Howe's failure, through their agents, to grant Plaintiff a hearing was also an abuse of discretion under section 6 of the Act of August 24, 1912, 5 U.S.C. § 7501 (Lloyd-LaFollette Act).

XII.

The failure of Defendants Macy, Hampton, and Andolsek, through their agents, to entertain Plaintiff's appeal based on her allegation that her termination was for "political reasons not required by statute" violated 5 C.F.R. § 315.806. In addition, these Defendants' failure to take testimony from witnesses or to accord Plaintiff a hearing on this appeal violated 5 C.F.R. § 772.304, and was an abuse of discretion under Chapter 772, Subchapter 3-2(h) of CSC regulations codified in the Federal Personnel Manual.

XIII.

As a result of Defendants' wrongful actions, Plaintiff has been injured by loss of earnings, by extensive pain, suffering and anguish, and by damage to her professional reputation as a sociologist.

XIV.

Plaintiff has exhausted her available administrative remedies, is without adequate remedy at law and will suffer irreparable injury unless the Court grants the relief hereinafter prayed.

WHEREFORE, Plaintiff prays for judgment against Defendants

1. Declaring that Plaintiff was unlawfully discharged from her position as Research and Program Specialist in the Office of Equal Educational Opportunities, USOE, HEW.

2. Directing that Plaintiff be restored to the position from which she was unlawfully removed.

3. Directing, in accordance with the provisions of the Act of March 30, 1966, 5 U.S.C. § 652b (Back Pay Act of 1966),

that Plaintiff be paid her salary, including amounts representing such salary increases and promotions as Plaintiff should reasonably have received since January 7, 1966, with interest.

4. Directing, in accordance with the provisions of the Act of March 30, 1966, 5 U.S.C. § 652b (Back Pay Act of 1966), that Plaintiff be deemed for all purposes, including successful completion of her probationary period, to have rendered satisfactory service during the period her unlawful termination was in effect.

5. Enjoining any future wrongful dismissal of Plaintiff without due process of law or on account of her exercise of her constitutional rights of freedom of speech.

6. Awarding Plaintiff damages of $25,000 for the injuries alleged in Paragraph XIII, plus reasonable attorney's fees.

7. Directing such other relief as this Court may deem just and proper.

Respectfully submitted,

Armand Derfner
701 Union Trust Building
Washington, D.C. 20005
Attorney for Plaintiff

Of Counsel:

Ralph J. Temple
National Capital Area Civil Liberties Defense and Education Fund
Suite 501
1424 - 16th Street, N.W.
Washington, D.C.

Carl Rachlin
Scholarship, Education and Defense Fund for Racial Equality, Inc. (SEDFRE)
150 Nassau Street
New York, New York 10038

Robert L. Carter
Joan Franklin
Richard F. Bellman
National Association for the Advancement of Colored People
1790 Broadway
New York, New York

N. W. advocates - Legal

Proposed Budget

10 trainees @ $1320.00 each (Welfare advocates) $85.00 /month salary + $25.00 /month travel expense	$13,200.00	
Services of Scholarship, Education and Defense Fund for Racial Equality, Inc.		
Training Period		
Legal Director 40 days @ $100 per day	4,000.00	
Associate Legal Director 30 days @ $75 per day	2,250.00	
~~Services of Legal Director and Associate Legal Director during continuing~~ Supervisory period		
Legal Director 20 days @ $100 per day	2,000.00	
Associate Legal Director 30 days @ $75 per day	2,250.00	
Serv~~ices of~~ Welfare Director in advising trainees 20 days @ $75 per day	1,500.00	12,000
Administrative services ~~of Citywide Coordinating Committee~~ 1 year @ $5,000 per	5,000.00	
?? ~~Cost of~~ Child care arrangements 1 ~~year @ $14,000 per~~	14,000.00	
TOTAL:	$44,200.00	

13,200
12,000
14,000
39,200
5
44,200

~~1,000~~
4000
2250
2000
2250
500